Tehdise Nemat

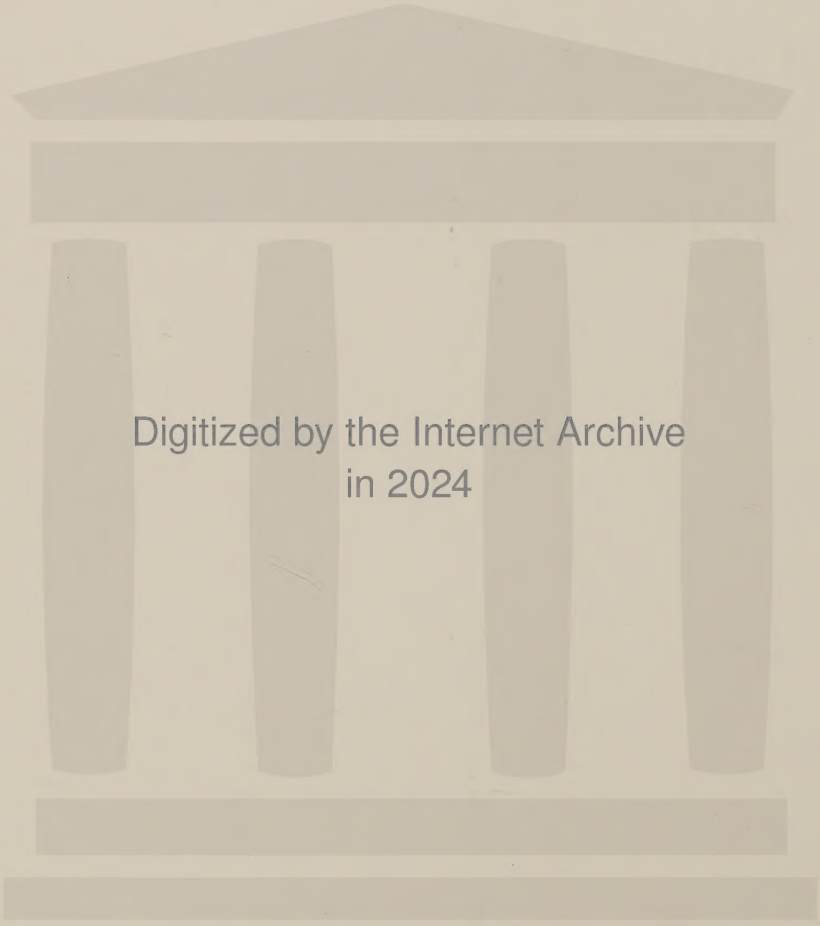
or

Recollection of Divine Favours

by

Sir Muhammad Zafrulla Khan

Translated from Urdu
by
Kunwar Idris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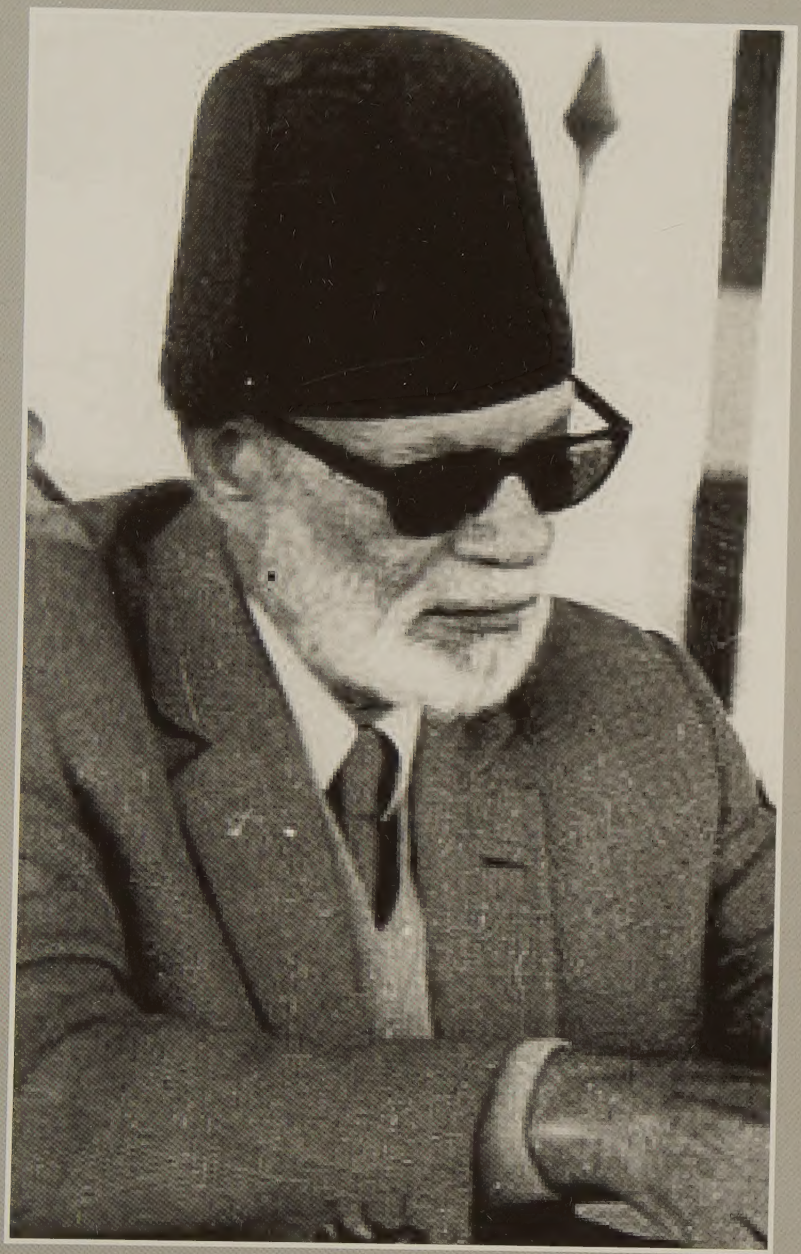

Sir Muhammad Zafrulla Khan

بسم الله الرحمن الرحيم

In the name of Allah
The Gracious, the Merciful

وَ اَمَّا بِنِعْمَةِ رَبِّكَ فَحَدِّثْ

And the bounty of thy Lord, proclaim

خاکساریم وسخن از رہِ غربت گویم
یعلم اللہ کہ بہ کس نیست غبارے مارا

A humble man, I speak out of sheer humility
Allah knows I bear grudge to no one

بسم الله الرحمن الرحيم

In the name of Allah
The Gracious, the Merciful

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Translator's Note

Sir Muhammad Zafrulla Khan (1893-1985) was a lawyer and a judge, an administrator and a diplomat, scholar of religion and author of books and, grudgingly, also a politician. He left a mark on all these fields in the British India, later in independent Pakistan and, more enduringly, in the international circuit.

His versatility found instant recognition at the hands of the founder of Pakistan, M.A. Jinnah, and its first prime minister, Liaquat Ali Khan, when both agreed that he could be the chief justice of the newly-independent country, or the chief minister of its largest province Punjab (then in the throes of partition) but would be best as foreign minister. And that he was for six and a half years.

Zafrulla's career is marked by many "firsts". He was the first Indian to stand first in the LLB examination of the London University and, later in life, the first Asian to preside over the International Court of Justice having been its judge for 15 years. He was also the first to preside both over the ICJ and the General Assembly of the UN – not a mean achievement for someone hailing from rural Punjab.

Zafrulla's career was determined more by fate than choice. But for a weak right eye he would have been a civil servant. Like most honours graduates of Lahore's Government College, he aspired to join the fabled ICS. While heading for further studies at Cambridge, he was told by a surgeon at London's India Office that he could not ever get through the ICS medical board. That warning made him, instead, study law at King's College and Lincoln's Inn. Barrister Zafrulla of weak eye but strong will, thus, embarked upon a career more diverse, rewarding and twice as long as the service span of an ICS officer.

Persuaded by some friends, Zafrulla at the age of 78 recalled from memory his life story that ran into 1500 pages in Urdu. Ten years later he wrote another 18 pages to bring the account up to date. Respecting his wish that the book must not exceed a single volume, the editors of the Urdu original using their discretion cut it down to 750 pages. The discarded pages were nowhere to be found to enable this translator to expand the account to bridge some gaps in the narrative.

Zafrulla attended all the three Round Table Conferences (1930-32) at London to earn the abiding affection and trust of that redoubtable leader of the Muslim delegation, The Aga Khan, before whom "every door opened without a knock" and earned a grudging compliment from Winston Churchill for giving him "two difficult hours" of his life during a debate on the constitutional reforms in India.

At his farewell on joining the Viceroy's Executive Council in 1935, Chief Justice Douglas Young of Lahore High Court paid an unusual tribute to Zafrulla's persuasive skills as a lawyer: "I feel relieved that he is leaving for his presence was endangering law and order of the province. As he entered my court room I would brace myself up lest the force of his argument make me act unjustly. Nevertheless, the things had come to a pass that any criminal accused of any offence who engaged Zafrulla as his counsel would go scot free".

It was in this background that at the partition of the sub-continent Mr. Jinnah chose Zafrulla to plead the case of Muslims before the Punjab Boundary Commission and later of Kashmir and Palestine in the UN. Zafrulla's ability and force of argument on all three occasions was conceded even by the opposing sides but colonial interests and expediency prevailed. The verdicts in all three cases were pre-determined. In a rare but strident reference he holds two "pygmies of men" – Clement Attlee and Harry Truman – alongside Arthur Balfour for the destruction of the world peace by denying the basic right of self-determination to a large segment of mankind.

Mr. Jinnah's admiration for Zafrulla, however, went back in time. As leader of the Independent Group in the Imperial Legislative Assembly in 1937 while

criticising a trade agreement that an Indian delegation led by Zafrulla had negotiated with the Lancashire industry he had this to say: "For me to praise Zafrulla would be like praising my own son".

It is a lasting tribute to the discerning judgment of Governor General Jinnah and Prime Minister Liaquat Ali Khan that rather than appoint Zafrulla as chief justice (for which he was apparently better qualified) selected him as foreign minister. In his tenure of nearly seven years, and later as permanent representative at the UN, he introduced Pakistan to the world and became a forceful spokesman of the Muslim and Arab causes. Syed Ahmad Saeed Kirmani, a Lahore lawyer, recalls that years later in the UN corridors he was recognised as a delegate from "Zafrulla's country".

For Zafrulla, kings and presidents put protocol aside. King Hassan of Morocco came to the steps of his palace and President Neguib of Egypt to the airport to receive him. To King Hussain of Jordan he was a brother. Crowds lined the streets of Algiers to cheer him. Some children then born in Tunisia were named after him.

The London landladies find as much mention in Zafrulla's story as the world statesmen. An irrepressible traveller he takes his readers to every part of the world and adventures – "Rapids" of Sweden, Kolkhoz of Tashkent, boiling springs of New Zealand, Kuwait of mud walls and many more.

A deeply religious man with his own family in purdah, women – homely and royalty alike – sought and relished his company. As a student, London landladies took tender care of him; Queen Mary instructed her staff not to forget to spread a prayer mat for Zafrulla during his long calls on her; Queen Juliana of Holland held a farewell reception for him at the royal palace when he retired from the World Court – an honour extended to no other judge. Begum Ra'ana Liaquat Ali Khan insisted he must dine with her at the week-end when both were at The Hague – he as a judge, she as ambassador. Her son Ashraf recalls both playing scrabble together.

On his death Begum Ra'ana paid a special tribute to Zafrulla's versatility and ready wit. On Princess Abida Sultaan of Bhopal he left a "deep imprint" for his "outstanding intellect, dedication and humanity, and his intense patriotism, --- a remarkable human being hounded for his beliefs which he weathered with poise and dignity --- and never strayed from the path of total dedication to Pakistan and Islamic causes".

In her memoirs the Princess recalls Zafrulla's plan to group together the princely states into a bloc for "a more equitable balance in the sub-continent" after independence. The idea gained some support but was overtaken by fast-moving events. India, perhaps, would not have invaded Hyderabad nor Mahraja of Kashmir acceded to India had that plan materialised.

She considers it "a shame for Pakistan that a veil has been drawn over his towering services to the nation because of his personal belief".

Zafrulla's life story presents picture of a nation taking shape. In this pageant the prince and the page find equal place. For authenticity and truth the readers can rely on the author's unimpeachable integrity and his incredible memory. He consulted no books or notes. His view of men and events in a fateful period of our history, notwithstanding the inadequacy of the translation, I felt persuaded, must reach those who had no access to the Urdu original.

I am grateful to my friend and Sir Zafrulla's son-in-law, Hameed Nasrulla Khan, who holds the copyright of *Tehdise Nemat* for permission to translate the book.I have to thank Lt. Gen. Dr. Mahmudul Hasan for help in translating the Persian proverbs and Hafiz Muzaffar Ahmad the Quranic verses.

My friend Mirza Khursheed Ahmed, Mr. Nasim Mehdi and once my pupil Pervez Perwazi facilitated the publication. Syed Babar Ali, Pro Chancellor of the Lahore University of Management Sciences, provided glimpses of the life of the author and some of his photographs.

The labour put in by my personal assistant S. Ahmer in typing the manuscript more than once, and the help of my wife Dr. Khalida Idris in reading the proof must also not go unacknowledged.

Any income accruing from this venture will go to the benevolent funds instituted by the author in his life-time while he himself lived on a pound a day. On tours he usually stayed with a friend, however humble, or with an official, whatever his status. As a judge of the World Court he walked to his office or rode a bus.

Fifty-five years ago as a probationary civil servant I put up for a night or two in a room adjoining the Ahmadiyya mission house at The Hague. While thanking the host I said something about the room being a bit too small. His reply that Sir Zafrulla had stayed in that very room for months together, quite naturally, embarrassed me a great deal. After retirement, he lived for years together in a one-room apartment in south-west London. He shifted to his more spacious Lahore home only when he saw the end approaching.

The politicians of today must pause to compare their caliber and contribution and also the cost to the country with Zafrulla and other stalwarts of the time. This translation of *Tehdise Nemat,* in a way, harks back to the frugal age of Pakistan's politics represented by its first head of state M.A. Jinnah and first head of government Liaquat Ali Khan.

Lastly, these are not the memoirs of a statesman or of a judge in the convential sense. It is more like a father talking to his children on how he had lived his life without haranguing them.That is what persuaded me to translate *Tehdise Nemat* despite Zafrulla's own "A Man of God" and some other accounts of his career, more particularly his interviews to professors Wayne Wilcox and Aislie Embrce of Colombia University.

Kunwar Idris

Karachi,

The First Word

O Creator of the Universe, I am your humble, fallible servant and You are fully aware of all my failings and follies. I am beholden to You for Your unending favours and at the same time weighed down by my own uncountable indiscretions and omissions. Your blessings have been infinite and my infirmities too numerous to be recalled:

ساقیا شرمندہ ام از لطفِ بے پایانِ تو
تُو مرا پُر می دہی من باز خالی می دہم

(O my Lord, Your boundless kindness puts me to shame. I hand back to You emptied cup and You fill it time and again)

You know how often I felt persuaded to reduce to writing the honours you bestowed on me and the faults You overlooked. But conscious of my weaknesses and fearing impudence, I have been hesitant. It is not possible for me to recall Your bounties and kindnesses; You know whatever I possess is bestowed on me by You and not earned by me – brain, memory, strength. Only You provided the opportunities of service and bestowed on me the capacity to serve. Affectionate, indulgent, sympathetic and persevering parents brought me up and You guided me on to the right path. You alone filled my humble being with the love of the Holy Prophet and enabled me to declare allegiance to his servant of the present times.

In recalling the events of my life I seek only Your pleasure. Guide my pen that it strays not from the path of rectitude and justice. It should endorse only the truth and deny the falsehood, hurt no one and comfort everyone. Enlighten my mind and refresh my memory so that whatever I write admits of no doubt. Bless my exertions and enable me to conclude this venture that is undertaken only to win Your favour – Aamin

Muhammad Zafrulla Khan

Family Background

The home of my forefathers is Daska in Sialkot district and our clan is known as Sahi. It is said that at one time it held sway over a part of the Punjab – Allah knoweth the best. Its concentration was in Sahiwal (formerly Montgomery) area. Two branches of the clan are still Hindus. The rest are either Sikhs or Muslims. Our branch is Muslim now for twelve or thirteen generations.

My grandfather Chaudhry Sikandar Khan was a highly influential landowner. His father Chaudhry Fateh Din died in the prime of his life when my grandfather was still a child. Because of his young age and plots hatched by the rival kin, our family fell on hard days. My grandfather, thus, grew up in adversity. Because of the steadfastness and wisdom that God had bestowed on him in abundance he lived his life in great dignity notwithstanding the hostility of envious kin.

That was an age of darkness and ignorance. But besides worldly wisdom and common sense, God had gifted him the knowledge of religion. As far as I have been able to gather he subscribed to the Ahlehadith school of Islam. He scrupulously observed, and made others observe, the edicts of the *Sharia*. He particularly loathed *Shirk* (beseeching any one but God) and shunned *bidaat* (undesirable innovative practices). Entertaining guests and helping the poor was ingrained in his character.

His straitened circumstances did not stand in the way of his hospitality. Having said his *Isha* (night) prayer it was his wont to change into sleeping gear and proceed to the guest house to serve the wayfarers just as a servant would do. After the *Tahajud* pre-dawn prayer he would once again visit the guest house that was adjacent to the mosque. One day the keeper of the guest house reported to him that a wayfarer who had spent the night there had vanished alongwith the quilt that was given to him for the night's rest. In a while the watchman and some others who had gone out looking for the man brought him back and produced him before the grandfather along with the quilt. He asked him why,

after all, he had to do it. "We are four members of the family and this winter have but one quilt" was his reply. The grandfather gave back the quilt to him and three rupees (a quilt in those days, perhaps, cost a rupee) and let him go.

Because of his hospitality and generosity my grandfather was held in esteem not only by the people of his own area but also in the neighbouring districts. His dealings with the officials were marked by deference but without compromising his dignity. The officials, too, extended courtesy to him. He performed Hajj in times when journey to Hejaz was arduous.

My birth: I was born in Sialkot on February 6, 1893. Before me three or four children had died in infancy. Perhaps that was the reason my mother treated me with extraordinary tender care. My father Chaudhry Nasrullah Khan then practised law at Sialkot. My parents were getting to be 30 when I was born. My mother's family was relatively well to do. The life of my father in his student days was one of hardship. Two or three years before my birth, however, prosperity and cheer had come to the house.

Early education: My mother would tell me that I was admitted in school at the age of four years, four months and four days. I spent first six years in a municipal school. In the seventh class my father had me shifted to the American Mission high school probably because the Ahmadiyya movement by then had made a favourable impression on his mind and at that time three or four teachers in that school were Ahmadis.

Inflammation of eyes: Soon after the change in school, conjunctivitis afflicted me and became so painful that for years I was compelled to spend good part of the summer in a darkened room. It was agonising for me but was a greater torment for my mother who had to stay with me in the dark most of the time. This companionship cemented the bond of affection between the two of us to the extent that till her last breath she suffered great anguish and was restive

when I was not around and the state of my mind was no different when she was not with me. My father, too, adored me a great deal but his composed demeanour seldom betrayed his emotions. I will forever feel indebted to him for the suffering he bore for my well-being – may Allah reward him for his sacrifices, have mercy on him and give him a station in the high heavens alongside His chosen men.

Parents' inclination towards religion and their joining the Ahmadiyya movement: Allah favoured my mother with true dreams and happy tidings which played a big part in her spiritual discipline. She put great faith in prayers and Allah would invariably grant what she beseeched for. Moral values were a common discourse in our home. Inspired by her dreams she pledged allegiance to the Founder of the Ahmadiyya. My father followed the example she had set a few days later when the Ahmadiyya founder was camping at Sialkot in September- October, 1904. I was with my mother and also later with my father when they called on him.

Meeting with the Ahmadiyya founder: I saw the founder of the Ahmadiyya movement the day Maulvi Abdul Karim read out his lecture in his presence at Lahore's Mela Ram theatre. My father had gone from Sialkot to Lahore to hear the lecture and to my good luck took me along. Sitting close to the feet of the founder, I had my gaze fixed on his serene visage all the time. Since that moment my faith in all his claims never wavered nor a doubt ever arose in my mind. A number of occasions arose for me to see him and Mirza Bashiruddin Mahmud Ahmad who later became his second successor.

Education in Sialkot's American Mission School: The teachers at the mission school treated me with great affection. In class IX Master Ghulam Muhammad was the teacher of arithmetic, science and Arabic. The boys held him in awe for he was stern. He paid special attention to my lessons and would

also buck me up. His only son, Abdul Hamid Butt, was my class fellow. Because of long illness his father detained him in the same class. So he fell behind by a year. My father suggested to Master Ghulam Muhammad to detain me as well because due to sore eyes I had not been able to give full attention to my studies. My father, in fact, wished me to take some time off from studies but Master Ghulam Muhammad felt that my mind was clear and despite the handicap I had done well. He counseled that I should take the examination and if I passed the father could still let me rest for a year. My admission form therefore was sent up and I passed in first division and stood first in the school. After the result was announced it occurred neither to me nor to my father to take a year off. At matriculation my age was 14 years.

Learning translation of the holy Quran on father's wish: My father earnestly wished that I should get down to learn the translation of the holy Quran. On his direction I went to Maulvi Abdul Karim, imam of the *Kachi* (mud-brick) mosque. After joining the Ahmadiyya movement he told me to go instead to Maulvi Faizuddin in the Kabutranwali masjid (mosque of roosting pigeons). Maulvi Faizuddin was a new Ahmadi convert. He taught me with great devotion but I couldn't be regular because of eye inflammation, hence my learning process was slow. Six months to the matric examination, the father asked me how far had I gone. I told him it was no more than seven and a half parts. At this rate, he imagined, I wouldn't be able to cover even ten parts though he earnestly wished me to learn at least the literal translation of the whole of Quran before joining the college. That was his duty to suggest. The rest, he said, was left to my commitment and urge to learn. Since the time available was short he advised me to look at the translation of two or three *ruku* (paras) whenever I was free and recount it before him in the evening.

In this manner he heard me translate the Quran in full correcting mistakes along the way. The favours that parents do to their children defy a count. Among the limitless that my father did to me the biggest was to persuade

me to get acquainted with the simple meanings of the holy Quran. My strangeness with Quran, thus, gave way to utmost reverence and recognition of its glory. The Quran thus became my first love. May God bestow on my father the best of rewards.

Admission in Government College, Lahore: After matriculation, I got admission in Lahore's Government College. There I stayed in the house of Chaudhry Shahabuddin situated in Bazaar Judge Muhammad Latif for a few days before shifting to the college hostel where I found a berth in dormitory number 5. The mother found it hard to bear my separation. On her insistence I would go to Sialkot every alternate week to spend Sundays in her company. In the summers of two years in intermediate section I suffered from acute inflammation of eyes making me miss two out of five tests held. In the three that I took I passed in English and Arabic (just three or four marks above the passing grade, though) but I failed in mathematics in one and in science in the other. In the final test I failed in both. For the university examination I studied hard – ten to twelve hours in a day on the average. Allah in his infinite grace and mercy rewarded me with success and I passed in second division.

Those were the days when opposition to Ahmadiyya movement ran high. Among the eight residents of the dorm I was the only Ahmadi. Out of them two or three constantly harassed me. During the summer vacations I requested the father to arrange my stay somewhere else. Hearing my reason he said if I felt unnerved by a matter so petty how would I face bigger difficulties that lay ahead in life. That was enough to quieten me.

Pledge of allegiance to the Promised Messiah: In that very year father received a letter from Hazrat Maulvi Nuruddin advising him that his son should also pledge allegiance as well. In fact I took myself to be an Ahmadi from the very day my parents in 1904 had made their pledge. Hazarat Maulvi Sahib nevertheless said I needed to make a formal pledge personally.

September was a month of vacations in district courts. My father would go to Qadian in September of every year and also take me along. On receiving Hazrat Maulvi Sahib's letter I made up my mind to perform the *Bait* if my father so suggested. Half way through the month and he made no such suggestion. I then decided to go through the ritual on my own as Hazrat Maulvi Sahib had commanded.

It was the Promised Messiah's wont to go for a walk every morning. Some of his disciples would accompany him to benefit by whatever he had to say. Later, after the mid-day (Zuhr) and also the afternoon (Asar) prayers he would sit down for a while in the Mubarik Mosque. That was the time for the *Bait* too. On September 16, 1907 I requested the Promised Messiah to accept my *Bait*. He consented and I gave my hand in his hand – all praise to Allah for that. I am indebted to Hazrat Maulvi Nuruddin in a number of ways and it was his extraordinary gesture of a reminder to the father that led to my *Bait* on the hand of the Promised Messiah – such is Allah's bounty and blessings for which He must be thanked and praised.

In those very days a school friend of mine had warned me that if I ever joined the Ahmadiyya community he would cease to be my friend. After the pledge in person, the first thing I did was to write to him about it and ending our friendship – as he had wished.

Death of the Founder:In May 1908, the Founder of the Ahmadiyya movement came to Lahore. For some time hints of his impending death had come through successive revelations yet it was natural for his disciples not to reconcile to the thought of an event so sorrowful as his death. The Founder himself betrayed no anxiety and stuck to his routine of propounding the glory of God in full cheer and with contentment. In Government College then we were five or six Ahmadi students – Sheikh Mohammad Taimur, Chaudhry Fateh Mohammad Siyal, Chaudhry Ziauddin and son of my teacher Abdul Hamid Butt and a few others. On May 26 as I lay down to rest after lunch, Sheikh Taimur

shook my feet to tell me that the Founder had passed away. It was a news too sudden and heart-rending for belief but left no room for doubt. Recovering composure, we all hastily repaired for the Ahmadiyya Buildings. There, inside the house the atmosphere was as any sincere and compassionate human being could imagine. Outside, on the street quite to the contrary.

After the funeral prayers a large number went to the railway station to board the train for Qadian to which a special bogey was attached to carry the spiritual leader's mortal remains. In the greatly saddened crowd I particularly recall Hazrat Maulvi Nuruddin in a trance with his head bowed. It was time for the evening prayer when we reached Amritsar. We offered the prayer on the platform in which the Ahmadis of Amritsar also joined. The train reached Batala at nightfall. At midnight a caravan of sorrow set on foot for Qadian. Since the weather was hot and the shuffling feet of grief-stricken crowd raised dust, the speed was kept deliberately slow to enable the pall-bearers to proceed with ease. Wherever water came handy for abolution, morning prayers were offered. The caravan reached Qadian at sunrise.

As news of the death spread, the people streamed in from far and near and passed by the coffin praying silently. The members of the central body and others present agreed that Maulvi Nuruddin would be the successor. He gave his consent and made a short speech drawing attention of the mourners to their obligations in the changed situation. The pledges followed and later he led the funeral prayers before burial in the sacred graveyard. I returned to Lahore the following day – 28th of May.

Attendance at the assemblies of the Promised Messiah: It was my privilege to have been present at the informal assemblies of that spiritual leader from September 1904 till his death. During the September vacations and at the annual conventions I would accompany my father to Qadian and join his close disciples in his walks and attend his meetings. I often waited to catch a glimpse of him whenever he came out of his house.

When Mian Fazle Hussain returned to his home town Batala, after studies in England, his father brought him along to call on the Ahmadiyya Founder (the two families had known each other for some generations) to seek his blessings. I was also present on that occasion. Mian Fazle Hussain expressed anxiety on the increasing activities of the Arya Samaj – a militant Hindu group. The Founder's response was that the religious identity of the Samaj would not last for long as it was not rooted in spiritualism and adding: "God may grant you life long enough to witness for yourself its downfall." That indeed came about before Mian Sahib died in 1936.

Death of Mirza Mubarik Ahmad: I was in Qadian when Mirza Mubarik Ahmad died. To carry his coffin a temporary bridge was assembled with the school desks and tables to cross the defile that separated the guest house from the graveyard. I took part in putting the bridge together. Between the funeral prayers and the burial, the Founder kept the mourners counseling. His countenance or voice betrayed no sign of grief. He spoke as he used to at his daily routine gatherings. He was the very embodiment of self-restraint in grief.

The Founder's concern for his disciples: One day some guests, among them Syed Hamid Shah, Dr. Mirza Yaqub Beg and my father, were having meals in the prayer hall attached to his living quarters when the Promised Messiah appeared with a roasted mutton leg and handed it to me. His hospitality and the taste of the roast still lingers with me.

The Founder's attire: He would dress simply wrapping his turban around a soft Turkish cap. He usually wore a muslin shirt, trousers of tapering bottoms, a waist-coat and a long coat even in summer. Going out, he invariably carried a stick. I sometimes followed in his footsteps but made no attempt to attract his attention.

His uncle Mirza Nizamuddin was his sworn enemy and prone to insult him. Once Mirza Nizamuddin's son fell critically ill. Often he enquired from Maulvi Hakim Nuruddin, who was treating him, about the child's health once observing: "It is incumbent on us to sympathise and serve all men with compassion. Keep treating him with utmost care and do whatever is possible".

Sahibzada Mirza Bashir Ahmad's admission in Government College and my brotherly relations with him: In May 1910, Sahibzada Mirza Bashir Ahmad was admitted in Government College, Lahore. It was my good fortune to have his company in my last year in the college. With the passage of time our friendship grew so strong and lasting as to make us feel like one in unity. This fraternal bond, spread over more than half a century, lasted till his death. Even before joining the college he was a picture of dignity, contentment and piety. In all departments of life he earned the admiration of his fellow-students and teachers alike. To me he always treated with brotherly affection and kindness. He was a man of unusual civility and courtesy. Anyone who ever came in contact with him became a recipient of his immense favours.

Chaudhry Shamshad Ali's admission in Government College: In that very year, Chaudhry Shamshad Ali Khan also entered the college and shared a room in the hostel with Mirza Bashir Ahmad. Their bond of friendship endured till the death of Chaudhry Sahib on 16th January 1932.

Chaudhry Sardar Mohammad: One among their friends was Chaudhry Sardar Mohammad who also happened to be my sincere and fast friend. He entered the college two years after me. He was not an Ahmadi but a noble and affable human being. After obtaining master's degree in chemistry he became a teacher of chemistry in a Peshawar college and some years later joined the Agriculture College, Lyallpur. He greatly admired Sahibzada's high moral

standards. After partition when Rabwah became the headquarter of the community, he would come to see him once or twice in a year.

Sahibzada Bashir Ahmad and Chaudhry Shamshad Ali both were football players. The latter soon made it into the college eleven and later was the team's secretary and captain.

Teachers at Government College: In my student days Mr. Robson was the principal and Mr. Hemmy vice principal. The former taught English and the latter physics. Some others whose names I can recall were Lt. Col. Stephenson, Brett, Waden, Jones, Golakh Nath Chatterji, Lala Jia Ram, Sheikh Nur Ilahi, Mirza Mohammad Saeed, Lala Ruchi Ram, Chawala, Mukand Lal, Lala Chetan Anand, Lang Horn, Ram Parsad Khosla, Taj Mohammad Khan, Dr Sir Mohammad Iqbal.

After Mr. Brett, Dr. Iqbal became professor of philosophy and English. He practised law as a barrister and taught at the same time from 1909 to 1911. Philosophy wasn't my subject but I had the privilege of learning English from him for two years. He would teach with diligence and devotion fully explaining intricate phrases.

I was in the tutorial group of Prof. Jones. In the first quarter of the academic year 1909, I stood first in Arabic and history and did well in English. In my report for that quarter Prof. Jones wrote that I studied well but took no part in sports or physical exercise. On getting the report my father asked me the reason for lack of interest in sports. Hesitantly, I replied that this question should not be addressed to me. "To whom then", he asked. "The people," I submitted, "on whose advice every morning in early years I was taken to the tutor and from there I would go straight to the school and meals for me were also sent there. From the school I would go to the tutor again where milk was brought to me from home. In the evening I would come home for dinner and as soon as I had finished eating a servant would take me to the tutor yet again and escort me back. That was routine set for me during the time I should have been playing games.

After that my eyes started turning sore. This is the first year my eyes are free of conjunctivitis. Where then was the time for me to take part in sports"?

The father must have been taken aback by my impudence but since he himself was a lawyer he discerned some sense in my argument. As I finished speaking he told me to go away leaving me with the impression that I had won my first case.

Before I left for England, Mr. Jones gave me an advice which concluded on this note: "In short, avoid wine and women and work hard and you will never regret having gone to England". His advice exactly conformed to the teachings of Islam and my own disposition. It was Allah's grace and mercy that I was able to conform to it all along truly and fully.

Some contemporaries at Government College: When I entered the college there were two distinguished names among the Muslim students – Dr. Wali Mohammad who was preparing for M Sc in chemistry and Sheikh Firozuddin Murad studying for M Sc in physics. Khan Ahmad Hussain Khan of Jallundhar had left the college just before I joined but was still widely remembered for the excellence of his conduct.

Prominent among the under-graduate Muslim students were Chaudhry Ghulam Rasul (of Hariwal, Gujrat) elder son of Chaudhry Sultan Ahmad, Chaudhry Ghulam Qadir elder son of Chaudhry Sardar Khan (of Ferozwalla, Gujranwala) and Sheikh Ghulam Dastagir of Jallundhar. Chaudhry Sardar Khan's brother Chaudhry Zakaullah was counted among the brilliant students of chemistry but, sadly, died in his youth. The Ahmadi students were Sheikh Muhammad Taimur, Chaudhry Fateh Mohammad Siyal and Chaudhry Ziauddin.

In those days Muslim and non-Muslim students did not mix much. Among my class fellows was soft-spoken, gentle and able Parshotam Lal of Dera Ghazi Khan. In the final year he and I vied for the first position in English. In the earlier two examinations there was a tie as our marks were equal. The marks in the final exam were to determine who wins the first prize. My own assessment

was that his knowledge of English language was better than mine. His hand-writing was neat, mine barely legible. The examiner was Prof. Waden who, somehow, had better opinion of me.

As the time for the announcement of result approached I was lounging in a chair in the football field when I saw Prof. Waden heading for the hostel. I stood up as he passed by and asked him if he had seen the papers by then. He said he had and was left wondering how he had given such high marks to me, mine were indeed the highest. Parshotam Lal, he told me, had scored five marks fewer. Though our rooms were opposite each other till that time Parshotam and I had hardly ever spoken to each other. End of the race for the first prize seemed to have lifted that barrier and every day an occasion arose for a chat. As the university exams ended we left for our respective homes. Years later I came across him when he was a sessions judge and I was a judge of the Federal Court of India. Soon after that he died. Had he lived there was every likelihood of his becoming a high court judge.

At the prize distribution ceremony I made acquaintance of Padam Sen who was junior to me and an able student. While in England I remained in correspondence with him for some time. After doing MA in economics he was taken in the postal service and rose to be the deputy director general of the department. In 1916 I was his guest at Allahabad. He has since retired and lives in Meerut. No opportunity arose to see him after 1916. In 1969 I ran into his son who was then ILO's representative in Bangkok and was visiting Lahore in the company of the organisation's deputy director general. From him I learnt about the well being of his father.

At the prize distribution, Lt. Governor Sir Louis Dean in his speech mentioned my name to congratulate me on standing first in every subject adding some words of praise. His speech was published in *Ravi*, the college magazine. Its editor then was Gurudutt Sondhi who later became principal of the college. From the account of the speech as published in *Ravi,* the words the Lt. Governor

had said about me were omitted – only this much was said that he had congratulated a student for winning a number of prizes.

Prof. Waden's affectionate guidance: Prof. Waden always cheered me up. After the BA examination I sought his advice on the subject for MA. About English he said I had learnt as much as was needed to get along, hence I should pursue it only if I intended to teach the language. Otherwise, he said, economics would be more useful. I enquired whether it would be possible to get first division in economics in one year. He said the time to study in a year being just seven months, it may be possible to get through but he could not hold out hope of getting first division even to Zafrulla Khan, He could, however, in a two-year course. About Arabic he said if I got both honours and first division I could possibly become professor of Arabic in the college (till then the teachers to teach Arabic, Persian and Sanskrit came on loan from the Oriental College but by then it had been decided to appoint our own for these languages). When a decision, instead, was made about my going to England Prof. Waden gave me introductory letters for two Cambridge professors containing remarks of high appreciation. Later, Mr. Waden became principal of Khalsa College, Amritsar. After completing his service in India he opened a school in London. Whenever in London, I made it a point to see him. I happened to be in London 1934 when I was appointed minister in the Viceroy's Executive Council. A few days after the appointment was announced I was passing by his house when I heard loud shouts of "bravo, bravo". Turning round I saw Mr. Waden coming up at a fast pace. I stopped and said that I had received his letter congratulating me and had replied to thank him. He said he had received the letter but he just could not contain his joy. "After all in your success I too had a hand," he said. "Why not", I replied, "you indeed played a big part".

Call on the First Caliph: At the beginning of 1911 Hazrat Maulvi Nuruddin fell from his horse. The injury turned into a festering wound. He then

wrote his will on a bit of a paper and gave it to Sheikh Temur but he recovered. Again, when his death looked imminent, he wrote his will in detail, gave it to Maulvi Muhammad Ali and asked him to read it and also announce it. The will was also published. In such circumstances a need was not felt to open the envelop that he had given to Sheikh Temur in 1911. It seems he, nevertheless, opened it. The note on the inner envelop read: "pledge allegiance to the person whose name is inside the envelope". That name was "Mahmud". What I have said therefore is based on oral but unimpeachable evidence.

In March-April of 1911 after taking the BA examination I headed for Qadian and called on Maulvi Nuruddin. Till then he had not fully recovered from the injury and mostly restricted his movements to the male reception lounge of his house. He would come out only in the evening to lead for the prayers. Sheikh Temur mostly lead the mid-day prayers.

On the first day of my call, as muezzin's cry arose, the caliph told his audience to leave to pray. As I got up, he told me "young man you may pray here". After that for as long as I stayed in Qadian I would offer my prayers in his company. Once when Sheikh Temur was not there he asked me to lead the prayers for I had read the Holy Quran. His circle was open to one and all. If anyone sought his help or a poor man turned up he would listen to him; if a paper was sent by the office he would make a note on it and this routine went on.

Seeking the caliph's permission to proceed for higher studies abroad: In those very days my father wrote to me that subject to the Caliph's approval, he would like to send me abroad for higher studies. The permission was given. In those very days two more Sialkot students similarly approached him but he wasn't inclined to give his consent.

While still in Qadian I started my prayerful contemplations. On the second or third might I had just dozed off when I had a sensation as if somebody

standing by my bedside uttered something which I could not hear but only the concluding words "so then go to England". I, thus, felt assured that going to England would be good for me though I had no desire to go and the thought of upsetting the mother made me even more hesitant.

First division in BA: I was still in Qadian when I received a letter from Sheikh Mubarik Ismail of Lahore that I had passed in the BA exam. Form the marks I could make out it was in first division. Later, I learnt that I had also passed in Arabic honours standing first in the university.

On return to Sialkot I let the mother know that on father's instructions I had sought the Caliph's permission for studies in England. He had given it after seeking Divine guidance and I also feel persuaded to go. But the mother found it hard to reconcile to the idea of three long years of separation.

Decision to go to England for higher studies: A few days later I went to see my father. With him then were Chaudhry Sultan Mohammad Khan, barrister-at-law and Chaudhry Mohammad Amin, pleader. They huddled for a while and decided that I should leave for London by the Austrian-Lloyd ship "Corber" that was to sail from Bombay for Trieste on the first of September. I informed the mother and started packing for the journey. On the eve of my departure it was decided that I alongwith my father, mother, maternal uncle Abdullah Khan and Mian Jumma (who had managed the family's Daska lands from the time of my grandfather) should pay a visit to Qadian. From there my father and I were to leave for Bombay from Amritsar while the mother was to return to Sialkot. The father then desired that the schedule for journey should be so arranged that the train for Amritsar leaves Sialkot station before the train for Bombay so that two of us see the mother off and not that she sees us off leaving for Bombay. It was so arranged.

Instructions before journey for England: Our stay in Qadian was just for a day. I reproduce here whatever I can recall from the advice I received from Maulvi Nuruddin while bidding farewell to him:

"1, Make it a habit to recite: O my Lord give me food and company that are chaste. 2, Reaching the destination recite: O my Lord, the Creator of the seven heavens and all that lies below them, and the Creator of the seven earths and all that stands on them; and the Creator of winds and all that they carry; and the Creator of the headstrong men and all those whom they lead astray: I seek your beneficence for this town and goodwill of all those who inhabit it and I seek your protection against wickedness of this town and from those inhabiting it. O my Lord grant us whatever in it is wholesome and protect us from whatever is harmful. O my Lord, instil in their hearts affection for us and instil in our hearts affection for the virtuous among them. 3, It is generally said that England being a cold country it is advisable to drink liquor as a defence against cold. We, the physicians, know it is wholly incorrect. It you need to fend against cold, drink cocoa – it provides nourishment and fights cold at the same time. 4, Keep writing to me. I will pray for you. 5, In England seek the company of its nobility instead of mingling all the time with the Indian students".

I complied with his directions as far as I could to my great benefit.

First leg of journey for England by rail from Amritsar to Bombay: I saw the mother off at Amritsar station. Later I was told she fainted as her train departed. The sea of her love was indeed boundless and deep.

I had travelled from Lahore or Amritsar by train up to Balata but not beyond. At Delhi station we were met by Chaudhry Shamshad Ali Khan. Then started the long journey to Bombay by the GIP railway. At Kalyan station checker came and took my ticket away. As the train moved I got worried as he

had not given the ticket back. I mentioned my anxiety to the father but he said nothing because as for me so for him this stretch of the journey was unfamiliar. At Victoria station the riddle was solved. As the train stopped the passengers left. There was no gate for ticket to be shown. It was a new experience for me.

Going out of India in those days was like entering another world. I had learnt to read and write English somewhat but had little practice to speak. The culture and lifestyle of Europe was not even remotely familiar. I had hardly ever used fork and knife nor had seen others use it. The students who had lived in big cities would get acquainted with the western habits and culture but that area was unfamiliar to us – the country folks.

Farewell handshake with the father: In Bombay we stayed in a Muslim hotel named Shahjehan Palace known for clean and comfortable lodgings. The next day we confirmed with Thomas Cook the travel arrangements and also gathered some information about the sea journey. Before the First World War, the Indians needed passport for Turkey and Russia but no other country. However, out of precaution a certificate was usually obtained from the deputy commissioner for identification. The ship was to sail at mid-day. We reported on time at the Alexander Docks. At the second class passenger deck, the father put forward his hand to shake mine. While shaking hands I noticed him turn his face away from me. It seemed to me that he had done it fearing that bidding farewell his face might show the pangs of separation and make me sad. I knew however this much that my going away would sadden him as indeed it did whenever I left Sialkot.

First ship journey: The ship was a new world for me. It was some consolation that the person sharing the cabin with me was Maulvi Muhammad Ali, a class-fellow son of Maulvi Abdul Qadir Kasuri. Another fellow traveller,

Sheikh Muhammad Saeed of Ḳasur was also a class fellow. Mr. Gurudutt Sondhi was also on board but in the first class. Soon after "Coerbar", a four and half thousand-ton ship, sailed, it seemed to be moving forward as well as sideways. Giddiness and nausea soon overtook me. When the bell rang for the meals I wasn't at all inclined to eat. Though I had heard of sea-sickness it did not take long to realise that it was extremely troublesome. Four successive days of great agony during which the will to walk or even to stand up was lacking and the very thought of food repelling. Every moment spent in the smoking saloon was exacting. I could not muster energy enough even to go to my cabin to lie down. Not used to the European dress, the 2 ½-inch hard collar felt like a millstone around the neck. Thirst made me restless but drinking any beverage seemed beyond capacity. Counting every moment of the day, the thought of approaching night was even more frightening. Maulvi Muhammad Ali who was in a worse state suggested we should go back from Aden. I said return journey too would mean enduring the same agony again. It was yet a day and half to Aden when I started to regain composure. As the sea waves subsided and the ship stabilised in a few hours symptoms of sea-sickness vanished, the mind cleared up and cheer returned to the life on the ship. The journey from Port Said to Trieste was most enjoyable. The ship docked at Trieste, then a part of the Austrian Empire, in the afternoon. The upscale area of the city on an elevated plane presented a magnificent view.

First journey by rail in Europe: As we arrived at Trieste the train for Munich was about to depart. Maulvi Muhammad Ali, Sheikh Muhammad Saeed and myself all got into a second class compartment. Muhammad Ali being the cleverest among us we, the other two, willingly submitted to his leadership and followed his directions without a demur. The first reward of our obeisance was to go hungry that night for Muhammad Ali ruled that since we had no experience of travelling by rail in Europe we didn't know nor could distinguish the

prohibited (haram) from the permissible (slaughtered the Islamic way), better we go without eating. And so we did. As long as the daylight lasted we took delight in watching Europe's countryside taking it as a substitute for eating.

The train reached Munich at six on the morning of 15 September. Here we changed trains and boarded one for Ostend to reach there at 10 in the night. The train halted right in front of the ship which took us to Dover when it was still dark and light drizzle fell. There we boarded the train for London. A British couple was already sitting in the compartment. Maulvi Mohammad Ali ruled that since there was a lady in the compartment we should take off our caps. I pointed out that the man accompanying her was also wearing a cap. The Maulvi's retort was he lacked manners. Obeying him we took off our caps. All through the rail journey we had to subsist on leavened bread and fruit for the Maulvi's ruling against eating in the dining car remained in force. Two hours after departure from Dover we arrived at London's Charring Cross station.

Arrival in London: Chaudhry Abdul Khaliq of Ferozpur, once a student of Government College hence known to me, was at the station to receive Maulvi Muhammad Ali and Sheikh Muhammad Saeed. He asked me where would I be going. I told him I carried some letters for Sir Thomas Arnold. Therefore, I would first go to see him at Cromwell Road and go wherever he advised. A chuckling Chaudhry informed me it was his office address and it would be quite some time before the office opened, hence I better accompany them. I gladly went along and thanked God for His mercy for rescuing me just when worry was overtaking me that having reached London – what next?

Chaudhry Sahib took us to his house at 175 The Grove, Hammersmith which was spacious enough to accommodate all three of us. It was getting to be breakfast time. After 36 hours of rail journey during which, in obedience to

Maulvi Muhammad Ali's injunction, we had to make do with bread and fruit, even a simple breakfast tasted gorgeous.

At Cromwell Road, London: After breakfast, Sheikh Abdur Razzak of Multan who lived nearby took us to 21 Cromwell Road – an assembly point for London's Indian students. All the offices housed in it reported to India Office. Perhaps, that was the reason for the Indian students who dabbled in practical politics to keep their distance. Possibly Chaudhry Abdul Khaliq was one of them and that was why he handed us over to Sheikh Abdul Razzak.

Sir Thomas Arnold: The office of the adviser for the Indian students, Sir Thomas Arnold, was situated in that very building. Sir Thomas was a scholar of Arabic and had been a professor at Lahore's Government College and principal of MAO College, Aligadh. At Aligadh he had the benefit of the company of Maulana Shibli. I held him in high esteem for the great service he had rendered to Islam by writing a book on conversions to Islam titled "The Preaching of Islam". In this book he convincingly proved that the accusation that Islam had spread by sword was not only contrary to fact but was also against the teachings of Islam. This book indeed deserved a special appreciation for the author who wrote it at a time when it was rare for an Englishman to write truthfully about Islam.

Miss Beck: The office of the East India Association was also situated in that very building. The secretary of the association was Miss Beck. Her brother was once a popular principal of MAO College, Aligadh. This lady was extremely courteous, affectionate and sympathetic.

A large number of Indian students were members of the Association. The annual subscription was five shillings. Once or twice in a month there was a

reception of one or the other kind providing an occasion to the Indian students to get to know each other and also the English nobility interested in Indian affairs.

The office of Northbrook Society was also situated in the same building. On occasions, it collaborated with the East India Association to hold joint receptions. Later, on our persuasion, a small library was established there. I benefited from it a great deal. Through the efforts of law students once in a while a moot (discussion forum) on legal issues was also organised. Alongside, a small cafeteria came into being which provided snacks and tea at reasonable prices.

First meeting with Sir Thomas Arnold: Climbing a wide and beautiful staircase, Sheikh Abdul Razzak led us into a large room. As we sat there a tall and dignified lady holding spectacles in her right hand entered the room and turned towards Sheikh Razzak. Answering her greetings, Sheikh Sahib addressed her as Miss Beck leaving me to wonder how had he recognised her so instantly as at that time all British faces looked alike to me. Sheikh Sahib introduced us to her as the students who had arrived in London from India that very morning and wished to call on Sir Thomas. He instantly called us in. All three of us told him that we were to pursue our respective courses of study at Cambridge.

About me and Maulvi Muhammad Ali, he thought there would be no difficulty in getting admission for both of us had passed BA in first division. About Sheikh Mohammad Saeed, he said, one could only hope (he too was admitted). I informed him that after graduating from Cambridge in law and history I planned to sit in the competitive examination for the ICS but the sight in my right eye was weak. It worried me, I said, even if I were to pass the examination but was rejected in the medical examination all my exertions would

come to naught. He said he would give me a letter for the India Office to arrange a medical board for me. Though the opinion of the board, he said, would not be binding, it would clarify the condition of my eyesight and how it would behave in the times to come. He gave me a letter, his assistant told me how to get to India Office and I went there straight.

India Office: It was my first day in London and relying on Allah's blessing and the sense that He had bestowed on me and the verbal guidance I had received, I hoped to reach India Office from 21 Cromwell Road. South Kensington station from where we had come to Cromwell Road was nearby. There I bought a ticket for Westminster and boarded the east-bound DistrictLine train. The underground electric trains were an object of wonder for me. I had experienced ride in an underground train for the first time travelling from Hammersmith to South Kensington earlier in the day. But then I had three companions and among them Sheikh Abdul Razzak was well versed with everything. Now, I was all by myself and didn't have the experience of even talking to a stranger. Anyway, worried but hoping and without losing the way and wasting time, I reached India Office.

When I found India Office where I had guessed it would be, I had a feeling of satisfaction as if I had passed my first test in England. I handed the letter to a peon and sat down to wait. There I saw three Sikhs in rustic rural dress also waiting. An Englishman came along and talked to them in English. They begged excuse for not knowing English. Somewhat upset, he turned to me and asked me whether I understood their language. On my answer in the affirmative, he asked me whether I would be good enough to explain to them what he had to say. It transpired from my translation that they were farmers from Ludhiana district. They had applied for the grant of land being distributed in the newly-colonised districts but their application was turned down. In the village someone

out of sympathy, or enmity, had advised them to go to London and complain to the Minister for India who would order the allotment of land to them. The gullible folk had either mortgaged or sold their lands to meet the cost of journey to London to petition to the Minister for India. He tried to explain to them that the Minister would not intervene in such matters.

I was informed that for my eye examination a medical board headed by Surgeon General Brenfit would meet at three in the afternoon. The time then was around 12 o'clock. Were I to be a bit more familiar with the streets and squares of London, I would have eaten lunch somewhere around and spent the intervening hours walking in a park. But I knew nothing at all and, at the same time, I also felt concerned that the landlady and my companions might get worried waiting for me. I therefore went back to Westminster station, took a train for Hammersmith Broadway and walked to the house. A fast walk took ten minutes. When I reached home it was lunch time and meals had already been laid down. The landlady, Mrs. Fyson, affectionately admonished me. I begged to be excused.

Medical Board for eyesight: Having eaten, I again headed for India Office. It was still a few minutes to three o' clock. Exactly at three I was called before the board, examined and told that I was underweight, my general health was weak but it should cause no worry as I had travelled for three continuous weeks to reach there that very day. Living there for three or four years and eating well the weakness should go away. But the sight in my right eye was so weak that no medical board would ever declare me fit. Their advice to me was to pursue a profession which did not require passing through a medical board. I thanked the board, returned home and wrote a letter to my father informing him of the opinion of the board. His affectionate reply counselled me not to worry at

all and get admission in a university for the law degree and in the inns of court for barrister-at-law.

STAY IN ENGLAND FOR STUDIES

Qazi Zahur Hussain's advice and assistance and enrolment in the Kings College for law studies: Over the next few days I happened to see Qazi Zahur Hussain who was two years senior to me in the Government College, Lahore and was then pursuing engineering study in London. His house was frequented by Muslim students. Zahur Hussain counselled that I should study law in London instead of going to Cambridge. He accompanied me to the Kings College for admission. He also gave me all the advice and guidance that a novice needed. He took upon himself to do for me all the chores requiring local contacts. For example, he got printed my visiting cards adding the most lovable and esteemed prefix "Mohammad" to my name. That proved most auspicious for me through the life.

Qazi Zahur after completing his education returned home to join the engineering branch of the railways. In 1935 when I became the railway minister in the government of India, he was chief engineer of the Assam – Bengal Railway. His son, Qazi Fazal Hussain, now holds a senior position in the Pakistan International Airlines. He treats me with the same affection as his father did when I was a student. I informed Sir Thomas Arnold that I had got admission in London and wouldn't be going to Cambridge.

Admission in the Lincoln's Inn for Bar-at-law: With simultaneous admission in Lincoln's Inn my education in law began. Besides lectures at Kings College, I was required to attend lectures in University College and London School of Economics. Though, I didn't go to Cambridge for admission but such has been Allah's favour that 26 years later – in 1937 – the Cambridge University conferred on me the honorary degree of LLD. The same year I was also made a

fellow and member of the university's executive committee. In 1945, I was made honorary bencher of Lincoln's Inn.

My residence in London: After admission in Kings College it was no longer necessary for me to go to Cambridge. London, therefore, became my home for all of my student days. The very house to which Chaudhry Abdul Haq had taken me on arrival became my permanent residence. The house belonged to a Greek but rented by Mrs. Fyson who ran it as a boarding house. She was the daughter of a padre and her husband had an M.A degree from London University. Both together also ran a private school. After his death she was compelled to convert the place into a boarding house. A few days after arrival in London, Maulvi Mohammad Ali and Sheikh Mohammad Saeed left for Cambridge and Chaudhry Abdul Haq also went to live elsewhere.

I was given the smallest and the only room vacant. After three boarders left I got a bigger room which remained in my use throughout my stay in London. Hardly any other Indian came to live there. That made it easy for me to comply with the advice of Hazrat Maulvi Nuruddin to mingle with the British nobility. The house was clean, food was good and rent was economical. The road was lined by trees on both sides, the underground stations were not close but not too far either. Bus service on the nearby Gold Hawk Road was frequent. The lectures at the university were mostly in the evening. Attendance there was compulsory but not at the inns of court. Since it was possible to attend lectures only at one of the two places, I was very regular, and punctual too, in attending lectures at the university but could not attend lectures at the inns of court. At the inns it was mandatory to attend three dinners in a term. Which I never neglected. After the intermediate, the LLB course was for two more years.

In those years Mr. Griffith was the professor of Common Law. After clarifying a point it was his wont to ask questions just to confirm that the students had grasped it. Responding to his questions I invariably raised my hand and he would ask me to answer. By the grace of God my answer was always correct. Pleased, he would encourage me and I paid even greater attention to what he had to teach. Sometimes the questions and answers were in writing on which he would make a note of appreciation.

Mr. Hurst was professor of Equity. He had complete mastery of the subject and taught with utmost devotion. In the middle year he advised me to get quickly over the final year of the Bar so as to be able to pay greater attention to the university examination and exert hard to get first class in Honors. It would, he said, bring great distinction to me. I chalked out my programme fitting his advice. In the final year, he advised me and my class fellow Mohammad Hassan that if we saw him in his chamber three or four times in a week he would further counsel us. That was an extraordinary gesture on his part as he was always very busy. Though, besides teaching, he had a lot of other legal work to do he spared long hours of his precious time to provide most valuable coaching to us for the examination. Fee for him was not even a remote consideration. He took all this pain only to encourage us – two Indian students. May God ever reward him.

First in the LLB examination: The LLB examination had nine papers – one paper in each of the five subjects and one additional paper for honours in four subjects. Out of these nine papers Professor Hurst was the joint examiner for four – two for pass and two for honours. I had greatly benefited by his attention and Allah in His mercy enabled me to live up to his expectations. In the LLB examination, out of Allah's sheer bounty and grace, I got first class first with honours in the university. No Indian student had earned that distinction before me, it is hard for me to say what happened later.

Mr. McKay was professor of Real Property. He was very able and prepared his lectures painstakingly. As he entered the classroom he would open his notebook, start dictating and keep dictating at a steady speed right to the end of the period. I would write, the best I could, with a pencil and try to grasp the meaning and fair it out the next day. An hour's lecture, thus, took about two to two and a half hours to comprehend and then write legibly. But it dispensed with the need of further study – just going through the notes attentively was enough.

Dr. Hilbert was professor of jurisprudence, civil code and law of evidence. He too was content with dictating notes only. His notes on jurisprudence were of much use to me. I attended his lectures on the other two subjects only for my bar examination as those were not included in the LLB course. In commercial law, the professor of insolvency was Sir Arthur Page and of the rest Mr. Wright. Later he became the Lord of Appeal and I had an occasion to appear before him in the Privy Council. Once he also came to Pakistan on holiday. He had a long life and died only recently. The certificate he gave to me at the end of the course carried remarks of high appreciation. Mr. Neil was the professor of Mohammadan Jurisprudence who at one time was the judicial commissioner of the Central Provinces of India. He was a mild tempered man of noble disposition. He, too, would only dictate notes.

For the bar examination I had chalked out a programme at the outset. By following it and with God's mercy I completed the first part in September 1912 and the left-over last part in September 1913. I passed the intermediate examination of the university in July 1912 and the final in October 1914. The university lectures were so arranged that it was possiblefor me to prepare for thefinal examination in most subjects by October 1913. With some extra effort even the remaining subjects could be prepared by that date. Armed with this assessment, my class-fellow Mohammad Hassan (of Amritsar) and I applied to

the university to sit in the final examination in October 1913 but was not approved. In June 1914, I got the bar degree but had to stay on in London for the LLB final examination till October.

During this period the First World War broke out and numerous restrictions were placed on travel. It was my intention to perform Hajj on the return journey home and also to pray at the tomb of the Holy Prophet. With this in mind I had made arrangements for journey up to Jeddah in June 1914 and bought a ticket as well. The examination was to end on the 10th of October and the Hajj dates in that year were 31st October and first and second of November. I had accordingly made my travel schedule. However, because of the war, rail travel between London and Marseilles was suspended and restrictions were also imposed on travel by ship. Even if the travel arrangements between Marseilles and Port Said and onward to Jeddah were to remain intact, seven more days were required for the sea journey from London to Marseilles. Anyway, I couldn't have made to Hejaz on time. I had to cancel the plan and return the ticket.

Mrs. Fyson – an embodiment of affection: Barring the Mohammadan jurisprudence, the lectures on all other subjects started at six in the evening. I would leave home at 5:20 to get to the college by the appointed time and return by eight and some time by nine. There were evenings when there were no lectures. On the days I had to go to the college, the evening meals were wrapped up before. I returned home. However, out of abundant affection Mrs. Fyson would keep the meals warm, serve me and keep me company conversing while stitching with spectacles set on her nose and a needle box by her side. If I wanted to know about any thing I would ask her and if she thought I must get to know something she would tell me. Often we would comment on the current affairs and she would inquire about the welfare of my country and the folk back home. On occasions, Islamic culture and edicts also come up for discussion. In

short this half or three-quarters of an hour was most interesting for me. Her role in disciplining my conduct was, indeed, significant. She came from the nobility, her thinking was straight and she was the very model of honesty and diligence I learnt to respect. I was a raw youth unfamiliar with the British way of life. Her every advice was, thus, most valuable for me.

One reason for her extraordinary affection for me was that her only son who was a month younger than me had left for Rhodesia just before I arrived in London. As a mother it was natural for her to miss him. In her motherly instinct she must have sensed that far from home I must be missing my parents. Thus, we shared a common bond of concern – it was no less than Allah's bounty. Every three or four months she would receive a letter from her son. As time went by, this interval lengthened and once the war started became interminable. In the summer of 1914, Mrs. Fyson went to Aberdeen to see her elder sister. On the return journey she caught chill which by the time she reached London bloomed into pneumonia and she passed away.

Mrs. Fyson's near and dear ones: During my stay in London Mrs. Fyson's mother, though very old, was alive at age exceeding 90. She spent most of her time lying in bed. Mrs. Fyson's elder sister, Miss Winter, and a younger sister, Miss Nelly Winter, took care of their mother. Another sister, Mrs. Lawson, lived near Brighton. Her two sons whenever in London would come to see their aunt. I got to know one of them well and once in a while would also write to him. Mrs. Fyson once in a month would go to see her mother. Once she also took me along. Her mother looked like a doll having the face of an innocent child. Miss Nelly Winter would come once in a while to see her sister. She had literary taste. I also corresponded with her. I met both of them in 1924 and again in 1927 on my visit to London. Mrs. Fyson had just one brother named Fred G. Winter. He, too, was interested in poetry and literature. In a manner of saying he led a very

sad life. Early in youth he fell in love with a girl who also adored him. They were engaged but before marriage he got some disease of nerves that was pronounced incurable and he was admitted in a Putney hospital for terminally ill patients. Marriage, thus, became a lost proposition. After some time his fiancé married another man named Feld and went with him to live in South Africa. Fred could still walk and was allowed to leave the hospital on Sundays. Occasionally, he would come to see his sister. On one such occasion Mrs. Feld happened to be in England he brought her along. Fred had given expression to her failed love in a poem full of pathos. He had not published that poem but carried it in his wallet.

One day he went to Piccadilly's famous restaurant, Lion's Popular, for lunch. To pay the bill he took out his purse, paid the bill but left the wallet behind. Having gone some distance he returned, found the wallet but the piece of paper on which the poem was written was missing. After some time that very poem was published under someone else's name to earn accolades. The title of that poem was *"The Rosy"*. Later, Florence Barclay published a novel under the same title. Another of Fred's poems was published in a literary magazine. He sent its copy to me as well. Reading it left me with little doubt that *"The Rosy"* was also written by him. Purity and flow of language, elegance and compassion were common traits of both.

Mrs. Fyson's husband had been a student of London University. After his death, she started a boarding house that figured in the list of houses published by the university for the information of the students where their stay could be arranged. The attendant at her house was a German youth who had come to England to learn the English language and worked alongside to make a living.

Miss Lysa Parson: Among the people who came to stay in the house while I was there, the longest to stay was Lysa Parson. Her father lived in Cambridge and she was the secretary of an evangelical society. She was a very prious lady and like Mrs. Fyson she, too, treated me with great affection. Her opinion on cultural values and social dealings was always correct and to the point. I found her advice very useful. Her younger sister Annie Parsons was a nurse in East London Hospital. It is a big hospital and its matron then was a distant kin of Queen Victoria. Miss Parsons invited us to tea at the hospital a couple of times and also introduced us to the matron. We went round various wards of the hospital. The eye ward had a powerful magnet that was used to extract metallic objects from eyes. It was a sheer coincidence that just when Miss Parsons pressed the button of the magnet I took out my pocket watch made of gun metal. Though the watch was tied to the button of my waist-coat with a leather string still the watch with a jerk got stuck to the magnet. It was freed as the magnet button was switched off but every three or four months it would, so to say, go crazy and run two or three times faster than normal. It would come out of the trance for a few days to revert to the normal speed. I had bought that watch from Hall Pike jewellers from their shop in front of the Central London railway station. I took the watch to them to suggest some remedy for its 'ailment'. After diagnosis they counselled me patience as the magnetic effect would wane with the passage of time. I was very fond of that watch and it was hard for me to lose it and buy a new one. There was no way but to take their advice which, indeed, proved correct.

*Mrs. Emly Benbridge:*Miss Parsons had another sister whose life story was a tale of woe. She was good looking and cool headed, compassionate, kind, affectionate and the very essence of nobility. She was married to Col Frank Benbridge who was the scion of a noble landed family of Durham area. Apparently, the circumstances all boded well. However soon after marriage Mrs.

Benbridge came to suspect that her husband that was mentally unstable. Ms. Lysa Parsons told me that a few months after Emily's marriage when she was staying with her, Frank took both sisters out for a ride in a horse-carriage. On the way back he alighted from the carriage, threw the reins towards them and whipped the horse. The horse ran fast making the frightened sisters clasp each other. To their good luck the horse with carriage reached home without a mishap. That exposed Col Benbridge's disease and he was sent to live in an island on the coast of British Colombia (Canada). There, outwardly, he led a calm life under the care of a Chinese servant. To cater to his taste for music a good piano was given to him.

Had she so desired Emily could have sought divorce to marry again but she did not consider it proper. Years later whenever she brought the subject up she would tell me that though his kin had forgotten him she hadn't. Then she was fond of him and now she fondly remembered him. She had no grievance against him. If she could have one it was against his parents who knowing that his mental balance was disturbed didn't tell her. But she carried no grouse against them either. The provision made for her at the time of marriage was enough to sustain her. She lived in comfort and was always willing to extend a helping hand to others. Her home was in Meadville which in those days was considered a pleasant residential neighbourhood of London. During my stay in London when she first came to see her sister I also met her. Soon after that she invited me alongwith Mrs. Fyson to her home for tea. Her hospitality was generous. It was the start of strawberry season early in May of 1912. A small basket would cost a guinea. The guinea then was like four pounds of today. Besides tea, cake and sweets she also served strawberries. Later, on a Sunday she came to our house. At that time after breakfast we were sitting in the dining room talking of this or that. After a while she asked me if I was free that day. On my reply that I had

nothing much do she said if I accompanied her she would show me around London.

Going round London's famous landmarks: It was my routine to study from Monday morning till Friday evening. On Saturdays, I would prepare for the Bar exam and keep Sunday free for recreation or, if some work was carried over, finish it between breakfast and lunch but necessarily kept the afternoon and evening free. I quickly got ready to accompany her. Our first stop was Kensington Gardens where we also saw some rooms of the Palace that were open to visitors as a museum. Displayed there were the splendid raiment of the coronations, marriages, etc. of the kings and the queens, of the princes and princesses and others. Also displayed were the childhood clothes and shoes and many other articles in their use at various times. From there we went to the Hyde Park and on the way had a passing look at the Albert Memorial. In those days Hyde Park was a recreation ground of the rich and the famous during May, June and July (called the London season). Sundays attracted large crowds. King George-V often went horse riding in the Park alongwith his daughter Princess Mary. Besides them, the Nawabs (of India), their Begums and others of nobility would walk or ride there. After Hyde Park we had lunch at the club of Mrs. Benbridge and there I said my prayers.

Music, drama and cinema: From there she took me to a concert in the Albert Hall. The hall has a capacity to seat 10,000 but it is so designed that no difficulty is faced entering, reaching your seat and getting out at the end of the programme. The concert was by the London Philharmonic Orchestra whose conductor, Sir Thomas Beecham, was a known authority on music. It was my first chance to listen to the western music. In the house where I was staying occasionally piano was played and songs were also sung at feasts. Songs never interested me whether at home or elsewhere. In music, however, once in a while

I found some notes pleasing to the ear. At this concert I listened to the whole programme with considerable interest. In later experience, I gathered that while classical music aroused my interest, the rest of western music was no more than cacophony.

During the Round Table Conferences an occasion arose for me to go to an opera. There it became so difficult for me to suppress laughter that I had to leave in the middle. In theatrical plays I liked some and understood a bit of drama as well but preferred recreational anecdotes that were meant to evoke laughter. In the first year I did not go to a cinema at all. The reason being I did not know what it was about. Sheikh Khurshid Haq whom I knew from the Government College days once asked me over to dinner and then suggested we go and see the pictures. I told him I did not know how the pictures are seen. He laughed and told me that nothing was required to be done. He asked me to come along and if need for explanation arose he would give it. But I persisted in my stand and didn't go. Finally, in September 1912 after I was free from the Roman Law part of the Bar and only the last part of the examination remained, for the first time in my life I went to cinema in the company of a Swiss doctor who was then staying in our house. In three years as a student I went to theatre, cinema, etc, I guess, no more than ten or twelve times. In those days, though going to cinema or theatre was not prohibited for Ahmadis, I was not so inclined by nature. However, every year I would avidly visit the horse show and the Royal naval and military tournament. Once in February 1912, I went to Olympia to see "The Miracle", a silent play, accompanied by my friend Oscar Brunal.

After the Albert Hall concert Mrs. Benbridge took me to a café for tea. The full-day programme was an expression of her affection that left an abiding imprint on my mind. During my stay she would drop by to see me once in a while and, on occasions, take me out for a walk to one or the other garden or park

or to see a palace or a museum. Her conversation, always elegant, interested me a great deal and added to my knowledge. I learnt a lot from her about the British customs and social norms which proved useful. The First World War had a diminishing effect on her material prosperity. She had enough for her own needs, she would say, and was grateful for not being dependent on anyone but regretted that she could no longer help others as she used to nor could she extend hospitality in the same measure as was her wont.

Later, whenever I had an occasion to visit London I made it a point to see her. In between we also wrote to each other. The birth of my daughter Amtul Hye enormously pleased her. It is not easy to guess the age of a western lady. Emily, I imagined, would be 35 years old when we first met. Going by that estimate she suffered a paralytic stroke at the age of 55 or so. That left a mark on her face and one eye and made her leave London and rent a small flat suiting her needs at Durding on the coast. Some time later her elder sister, Mrs. Lysa Parsons also rented a room there for her own residence. Some years before that Miss Annie Parson had left the East London Hospital and successfully ran her own nursing home named Chemley Park in the High Gate area. Even after Mrs. Benbridge had shifted to Durding I would go to see her there whenever I was in England. If a car was available to me I would take both sisters out on a ride for an hour or two which enormously pleased them. If it wasn't, I would go by train and spend an hour or two with them.

Mrs. Benbridge was wary of kitchen chores. To spare her agony I would leave London after lunch and get back home by dinner. If she ever insisted that I must have lunch with her, deferring to her wish I would get there before lunch. When I went to London in November 1939 for the conference of the dominion ministers representing India, Anwar Ahmad was my secretary. I took him along to Durding. The invitation from Mrs. Benbridge was for lunch. Because of short

winter days it was advisable to leave London before down. I was also wary of two of us being her guests in those war-rationing days. Her wish, nevertheless, had to be respected. In the course of the meals I suggested to Anwar that since during his stay in London on a year's training course it would not be easy for him to move around because of the war, one outing for him could be to visit Durding on Sundays and other holidays and take something along to eat in the company of Mrs. Benbridge while she served tea or coffee. When I left the room for a while she told Anwar to come over whenever he liked but it wouldn't be necessary for him to bring anything to eat, she would arrange the lunch.

Mrs. Benbridge's death: That was to be our last meeting. Her health then was on the decline. Soon she had to be admitted in hospital. After she was operated upon, she wrote to me from the bed about her surgery adding that she was recovering. But it wasn't so destined. Her elder sister had died in her lifetime. On shifting from London to Durding she had taken along only essential clothing and some other personal articles. One was my mother's photograph. She used to say that by looking at her she felt inspired. Another was her own coloured sketch with her husband Frank Benbridge – a memento of the days gone by before a cloak of sadness fell on the joys of their life. There was also a silver tea set and some other things reminiscent of olden times. She had told me that before dying she would leave instructions that my mother's picture, her own and Frank's sketch and milk pot of the tea set should be sent to me to be given to Amtul Hye. On her death her sister Annie wrote to me her death wish enquiring as to where and to whom send the things that Emily had willed. I wrote back to her expressing sorrow and sympathy and advised her to send her sister's mementos to me at my address. It was time of war. It is hard to say whether she at all got my letter and whether she sent the things. I imagine she must have but got lost on the way – Allah knoweth best.

Mrs. Benbridge's great virtues: I needed no picture or cartoon to keep alive Emily Benbridge's memory in my mind. Between the two of us there was no relationship or bond other than that of common humanity. No one had given me a letter of introduction to her. Indeed her elder brother Frank Parsons of the Indian Civil Service was posted in Madras and before proceeding on pension was made a member of the Governor's Council. But Madras and Punjab being a world apart, he did not know me nor I knew him. I had heard of his name only from his sisters. His younger brother, a solicitor at Norfolk, belonged to the legal profession and I was a student of law but no occasion arose to get to know him. If Emily Benbridge treated me with tender care and affection over thirty years – from the day of introduction to her last breath – it was all because of her personal virtues and sincerity. She was a good-looking woman who carried herself with great dignity but the quality that shone in her like a jewel was her amiable disposition.

An Indian colleague who had met her at our home invited her one day to a meal to which she agreed. Knowing that she moved about in elite social circles, he wished to take her to a high class restaurant. Mrs. Benbridge however chose to dine at a middle class restaurant. When at the end of the meal the waitress brought the bill she paid it with great insistence. Being Zafrulla's friend, she told him, he was also her friend. Being a student away from his country, she said, he shouldn't be bearing her expense. She valued his invitation and was grateful to him for sparing an evening for her from his precious time. On return my colleague narrated to me what she had to say but added on his own and repeated it more than once that he had been in England before me and the circle of his acquaintances was also quite wide but he had not come across a lady matching Emily's nobility and grace.

Anyone who looked at her photograph that she had given to me took her to be a queen or a princess. Despite all these qualities, she had a humble disposition. I never heard her speak loud nor utter a word to ridicule or annoy anyone. She was separated from her husband early in life. With all her qualities and wealth there couldn't be dearth of suitors yet she chose to live the life of a widow for forty years. But not once, not even unwittingly, she conducted herself in a manner detracting from the highest standards of nobility, modesty and chastity – a life that was full of sorrow but a disposition that was cheerful with a smile playing on her lips always. My position in her eyes could be no more than that of a yokel from rural Punjab landing in London, the centre of culture, knowledge and riches, unfamiliar with the British way of life and social norms, half her age, zero in experience, conversation dull and uninteresting. Her thoughts, I imagine, must have been that being alone and far away from home and family my life would be cheerless. Having herself experienced the melancholy of loneliness, she tried to reduce mine by her affection. It was not for me alone, Emily counseled and shared the woes of everyone to drown her own sorrows under the mantle of the joy of others. May Allah Almighty Who recognises virtue and knows what lies deep in the heart of every human being treat Emily Benbridge with greater mercy and affection than she had shown for other human beings. Being Most Gracious and Merciful, His compassion indeed finds no bounds.

Col and Mrs. Howard: For some time Col and Mrs. Howard coming from Canada also stayed in our house. They were residents of Branford, Ontario close to the Niagara Falls. Since the purpose of their visit was sightseeing they would spend the day going round the parks and museums but usually stayed at home in the evenings. Sometimes even if Col Howard had to go somewhere, Mrs. Howard would prefer to stay behind. Having left behind at home three sons, Guy, Walter and Jack, as the night fell the thought of separation from

children saddened her. Of her sons, one in the middle – Walter – was my age. In the evenings whenever I was free she would while away her time talking to me. She would talk of her country, town and home and of her children and sometimes liked to hear from me about my home and parents. She wrote about me to her sons as well and they started sending their picture-postcards to me. With Walter began my regular correspondence which continued after she had gone back to Canada and then for some time even after I had returned home.

Fruit is grown in abundance in Niagara area. Mrs. Howard would often tell me that if I ever visited her I would get to eat peaches, each peach so large as to make lid for a wide-mouth glass.

Meeting with Walter 21 years later: In 1933 when I went to Toronto to attend the Commonwealth Relations Conference the delegates were put up in the residential part of a university. The colleges were closed but some student-volunteers worked for the conference. One evening I got a message that some one wanted to speak to me on phone. I took the phone and the following conversation took place:

This is Howard speaking.

Who? Guy, Walter or Jack?

As a matter of fact it is Walter but how did you know?

Those are the only three Howards I know, one of them would have been wanting to speak to me.

Then you are that Zafrulla whom my parents met in London and who corresponded with me?

How are your parents?

Father died some time back but mother lives in Brantford. In fact she read your name in the list of delegates to this conference and called me up and asked me to make sure. May I come round?

Surely, do come – and at once.

That is how I met Walter after 21 years.

In 1942 when I went to Toronto I was invited to dinner by the local branch of the Empire Parliamentary Association. To my left there sat one MacDonald who was a member of the Canadian parliament from Brantford. I talked to him about Mrs. Howard. He said she lived close by and he knew her well, her eyesight had gone very weak but was successfully operated upon. Through him I sent my greetings to her. Thirty years had gone by from the time we had met in London.

I happened to go to Toronto again in 1946. Some friends took me on a sightseeing trip to Niagara. On the way I mentioned that I knew one Mrs. Howard. They told me that Brantford was just off our route and returning we could stop there. We had dinner at General Barac hotel. From its top-storey dining room the view of the Falls was magnificent. There my host instructed the telephone operator to talk to all the ladies listed under the name Howard and find out who among them had three sons called Guy, Walter and Jack. We were told that the directory contained ten entries under the name Howard. From three there was no reply. Of the seven who answered, none had sons of those names. In the morning on seeing my name in the newspapers, Walter rang up. I told him how I had tried to find out the whereabouts of Mrs. Howard. Walter told me that his mother had passed away two years ago. He came along to see me with his wife Evileen. They told me that they had decided to live in Brantford and would soon be shifting there. After that meeting correspondence restarted between us.

From 1947 onwards for one or other purpose I had to go to New York on the average twice in a year. Occasions then arose to go to Toronto. On such visits I would get to see Walter and his wife. Once when my daughter Amtul Hye was accompanying me, we went to Niagara Falls. From New York to Toronto we travelled by rail. From there Joe Walker, a friend, took us to the Falls in his car. It was a warm day and Amtul Hye was clad in a *burqa* (cloak from head to foot). On return journey she felt her head and limbs aching. Brantford was nearby. We went to Walter's home. Evileen arranged for her to lie down. She took an aspirin and got up fully recovered after a two-hour nap.

Once Chaudhry Nabi Ahmad (a young relative) was also with me on an excursion to that area. After visiting the Falls we were to stay a might at Brantford. It was a season of fruits that lay in heaps for sale on either side of the road. We selected a basket of peaches. Asked about the price the sales girl said "a dollar". Nabi Ahmad said in amazement "a peach for a dollar, the fruit is indeed expensive here". The amused girl then told him that the price was for the whole basket. "How cheap" he wondered. At Brantford I rang up Walter. He and wife both insisted that we have dinner with them. We handed over the peach basket to them. She used a part of it in preparing the meal for us.

Khawaja Kamaluddin's visit to London: In 1912 Khawaja Kamaluddin came to London. In those days Dr. Ibadullah of Amritsar was also in London. He took Khawaja Sahib to his lodgings. Since at that time no room was available he gave his own to him and slept on the floor till he got another room. After some time Khawaja Sahib shifted to the house in which I was living. Thus an opportunity arose for me to spend some time in his company every day. In our conversation Ahmadiyya movement also sometime figured. Once in the course of a walk he said "after Nuruddin a ruckus is sure to arise over the caliphate" (the conversation was in Punjabi in which Khawaja Sahib in affectionate familiarity

would refer to the First Imam by his name and sometimes refer to the Founder of the movement also as "Mirza"). "Mian Mahmud", he would say, "is still a child. (Maulvi) Mohammed Ali is very sensitive and breaks into tears at the slightest pretext. As for me, I am forthright in telling the truth which annoys the people". I would submit to him: "Khawaja Sahib, about the succession the Imam has already said a great deal hence you shouldn't be worrying. At the right time Almighty Allah would bring forward whomsoever He wants".

*Bahai leader Abdul Baha / Story of Woking Mosque:*Khawaja Kamaluddin was still putting up in our house when the Bahai leader Abdul Baha arrived in London. I came to know that on a particular Sunday he would be inaugurating a mosque at Woking. The story behind the construction of this mosque runs like this: Dr. Henry Leitz before leaving Lahore after retirement (he was principal of the Oriental College) had sponsored a proposal for the construction of a mosque in England. He appealed to the Muslim chieftains and others who could afford to participate in the noble venture. Her Highness the Begum of Bohpal and Nawab Sir Salar Jang of Hyderabad donated substantial sums. May be some others also responded. On return to England Dr. Leitz bought a large piece of land at Woking 24 miles to the west of London on the main train line.

There Dr. Leitz constructed three buildings – a mosque that was named after Her Exalted Highness the Begum of Bhopal as Shahjehan Mosque' a house which was named Sir Salar Jang Memorial House and a more magnificent building named Oriental Institute. The mosque and memorial house were situated side by side. Next to the institute a large open space was left vacant for a park. After the death of Dr. Leitz his heirs brought all that property under their control asserting ownership. When Rt. Hon'ble Syed Amir Ali on appointment as judge of the Privy Council arrived in London, he took interest in this matter. Some other influential Muslim leaders like His Highness the Aga Khan and

Mirza Abbas Ali Beg (he was a member of the Secretary of State for India's Advisery Council) joined him in the struggle to recover the possession of the property. On the intervention of the neutral men around, it was decided that while the possession of the mosque and the memorial house may be given to Muslims, the institute and the attached land would remain with the heirs of Dr. Leitz.

Inauguration of the Woking Mosque: the correct position: Once the possession of Woking Mosque was obtained the question arose of making it functional. Around that very time Mr. Abdul Baha returning from America stopped over in England. His friends and others who shared his views organised a get-together in his honour but chose to describe it as inauguration of the mosque and restricted the invitation to the Bahais and their sympathisers. Hearing of the gathering linked with the mosque, some Muslim students and others also came. I accompanied Khawaja Sahib. Among the students then seen at Woking, I can recall only Sheikh Mohammad Sadiq of Amritsar and Khan Mohammad Nawaz Khan of Ferozpur.

A lunch was arranged at Sir Salar Jang Memorial House but only those joined Mr. Abdul Baha who were invited by the organisers. The number of those who were invited, or came on their own, was around 50. Some others, like us, who had come on their own, assembled in the mosque and sent a message across to Mr. Abdul Baha to come over for the Zuhr (midday) prayers. It was conveyed to us in his behalf that he had come after offering prayers at his residence. We said prayers with Khawaja Kamaluddin acting as Imam. Since it was a short winter day, soon it was time for the Asr (afternoon) prayers. Khawaja Sahib again sent a message to Mr. Abdul Baha to come over. He came and said his prayers with Khawaja Sahib leading. After the prayers he stood at the mosque entrance and spoke briefly in chaste and easy-to-understand Persian. I stood just

behind him and though knowing very little Persian I had no difficulty in following him. He wore Iranian raiment, was of medium height with a broad visage, white beard and looks of a saint. There was no pretension in his speech which, in essence, said the Bahais had goodwill for all, quarrel with none and believed in peace. In America he had been praying in churches and synagogues delivering the same message.

Establishment of Woking Mission: Khawaja Kamaluddin started a campaign for taking over the management of the mosque. Meanwhile, he had shifted to the house of his brother-in-law in Richmond on Kew Gardens Road and launched the "Muslim India" and "Islamic Review" magazines. Once a decision was made to entrust the management of the mosque to him, he took up residence in Sir Salar Jang Memorial House and the Woking Mission came into being. Since going to Woking on Fridays for prayers was time consuming, a hall in Tooting Hill was also rented for the purpose.

Khawaja Kamaluddin's two dreams narrated by him: Surbernne Hart was a well known French actress. Even in old age she was known for her artistic talent. In the drama Queen Elizabeth-I, she played the part of the queen. The drama was also later made into a film which won great acclaim. The film was being shown in a cinema nearby. Khawaja Sahib wanted to see it and I went along. It was a cold winter evening. I put on my great coat but he did not boasting that the cold didn't bother him. A scene in the film depicted the Earl of Essex (he was the Viceroy of Ireland and later was sentenced to death on the charge of treason) walking up to the scaffold. When the Earl was shown putting his head on the block and the executioner raising his axe, Khawaja Sahib became restive and asked me to get up and himself started walking towards the exit door perplexed and begging for God's mercy. Greatly upset on his condition, I followed him suspecting that he had caught the chill. After crossing the Broadway instead of

going in the direction of our house we took to Hammersmith Bridge Road and walked towards the bridge. While Khawaja Sahib continuously chanted prayers for mercy and forgiveness. When he was a bit composed I asked him whether he felt cold. He said he didn't at all. "In fact I was perspiring even at that moment and that is why I had to rush into the open air", he added. A little later he gave out the real reason: he had recalled his own two dreams.

The first dream: In the first dream, he said, he felt the same way as the Earl in the film and the same fear had gripped him in the dream he dreamt at the time the Founder of the Ahmadiyya movement was in Lahore on his last visit. In the dream he saw that he himself, Maulvi Mohammad Ali and three or four others were arrested and told that they had to be produced before the king for revolting against him. They were taken to a room similar to the room of the first bench of the Lahore Chief Court. When he looked up he saw that on a throne sat Maulvi Nuruddin. Addressing them he said they had revolted against him deserving a befitting punishment. Khawaja Sahib's reply was "it is your regime and you may order whatever you deem appropriate". He chose to send them into exile.

Second dream: In the second dream, Khawaja Sahib said "I saw all of us arrested and produced before Maulvi Nuruddin who ordered our beheading for revolting once again". So he (Khawaja Sahib) was taken to the execution chamber and, like the Earl of Essex in the film, his head was put on the block and as the executioner's axe came down he woke up petrified.

Excursion during London stay: While beingregular in studies, I spent a better part of my vacations away from London. I had arrived in London on September 16, 1911 while regular studies were start in early April. During X-mas holidays I decided to visit Torquay – a holiday resort on the Devonshire coast. Mr. Herman

Fosten accompanied me. Torquay even at the height of summer was pleasant and green. The very first sight of Torquay being a very picturesque place persists till today. I have been there often since then only to return time and again. Worth seeing is Kokengin Court. In its garden stands a church dating back to the Norman times. An old smithy in the town square particularly attracts American tourists. In 1911 the environment was rural. Marine Drive and Bishop Walk as a recreational and residential area vies with the southern coast of France. The two world wars have radically transformed the culture and life-style of England. Some aspects of the change are indeed for the better but the rural scene remains as attractive as ever and I am not ever tired of enjoying it.

Since London was a commercial and financial centre of England and by the nineteenth century of the whole world – a status it enjoyed till 1914. To maintain its eminence in the Middle Ages it had to curb the powers of the royalty. It is customary till today for the Lord Mayor to receive the king after his coronation at the Temple Bar which was then the outer limit of the City of London. The King, or the Queen, thus, acknowledge and affirm the rights and privileges of the City before he or she is allowed to enter. This custom recalls the times when the King, or the Queen, could not enter the City without an invitation from the Lord Mayor.

First meeting with Oscar Burnler: Every year on the 9th of November the procession of the Lord Mayor marches towards the City and on the way back passes by the Kings College. The college building is, in fact, a part of the Summerset House which at one time was the palace of the Duke of Summerset, an uncle of King Edward VI. The gate of the college now in use opens on the Strand but the original gate is on the River Side. The residential quarters of the principal also face the river. The Lord Mayor's procession passes just under the terrace. On the 9th of November 1911 the principal, Rev Arthur Headlum (later

the Bishop of Gloucester), invited some students to the terrace of his house to witness the Lord Mayor's procession and later invited the guests including some students, I among them, to tea his home. On the way from the house of the principal to the college I came across Aruna Chalim, a final year student of engineering. Since I had some time to spare I accompanied him to nearby India Office. With him were two other European students – a Briton and a German. All of us went to the club which was in fact a Christian missionary society where some amenities were provided to the students as well. Our intention was to while away some leisure hours there. Two senior students there conversed animatedly while German student and I sat quiet. Sympathy arose in me for my silent companion for, like me, he too had just arrived in London and both of us were foreigners.

Back in the college and before parting company I got his name and address. The next day I sent a note to him inviting him to tea the following Wednesday, Friday or Saturday for on those three days I had no lectures to attend. He did not come nor I heard from him. I thought may be the name and address were incorrect and the letter didn't reach him. By Saturday it was all out of my mind. That day it rained hard and I was studying in my room when the German boy came all soaked in water I did not expect him to come on that day. He had received my letter, he said, but couldn't come for he had lectures to attend. Saturday afternoon he was free but could not inform me (telephones at residences in those days were a rarity) and, further, he could not even make out who had invited him as he had not noted my name. Seeing the letter his thought turned to me. His full name was Oscar Burnler Fryher Fan Alson. In course of time I learnt that his father at one time was Germany's ambassador to Mexico and belonged to the nobility of the northern province. He was the only son of his father, his mother was from France, hence French was spoken at home and also because they lived mostly in Brussels where his father had businesses.

He did not go to Germany for engineering studies because living outside Germany he was not eligible to take the admission test. He got admission in England and so there he was. We met often and also wrote to each other. Mr. Baoush, who had come to stay with Mrs. Fyson, one day checked the incoming post and gave to me my letters which included one from Oscar. Mr. Baoush saw a crest with letters VA underneath on the back side of the envelope. Wonderstruck, he asked me whether I knew that Mr. Burnler was a Fryher – a rank in the German nobility as is Viscount in England.

The day Oscar had come to my place he also wanted to know about me and also my religion. Told, he looked comforted. Later, when I wanted to know his reason for asking that question, he told me he was no admirer of Jews and he felt at ease that I was not one. He stayed for about two hours and after that we saw each other briefly twice in a week in between lectures. On Saturday or Sunday, sometimes on both days, he would come to my lodgings: His friendship and company proved a blessing for me all along my stay in England. He was a living manifestation of the prayer:

فجزاه اللّٰه فی الدّارین خیرًا۔وہ اللّٰھمّ ارزقنی جلیسًا صالحًا

(May Allah bestow his care on him for he was a noble companion). The bond of friendship forged in 1911 lasted to the end – a little more than forty years.

My dream about Chaudhry Shamshad Ali: Early in January 1912, in a dream I saw a piece of paper on which was written: "Shamshad Ali on whom many a hope was pinned passed away on the 16th of the month. Make note of it for it carries many portents". I wrote down the dream in my note book. I used to get letters from him every second week. After that I would wait for his letter with

considerable anxiety. I felt relieved when I received his letter written on 16th of January (the post from Lahore to London then took 16 to 17 days).

Excursion to Bournemouth: During the 1912 Easter holidays Mr. Boush and I went to Bournemouth, a charming town on the south coast and stayed in a boarding house named Silver Hoe in the West Cliff Gardens. Mr. Boush and I got a big room on the third floor in full view of the sea from our room. Bournemouth is a preferred resort as it is not far from London (from Waterloo a train takes you there in two hours) and, secondly, along the see it has rocky range on a sandy beach. On the rocks and along the coast are wide open spaces for walks which are not crowded even in peak rush hours. Thirdly, through the town runs a chain of gardens. Fourthly, the winters are mild and sun shine is long.

Mr. Boush and I often rented cycles to go to New Forest – once covering a distance of 44 miles. On the way back I told Mr. Boush that I felt thirsty but water did not quench my thirst. On his suggestion I ate a raw tomato for the first time. My thirst vanished. Just then the bell for lunch rang and we went to the dining room. As eating came to an end, I whispered to Boush that I wasn't fully satiated. He told me to eat as much cheese, butter and bread as was on the table. It was the first time for me to eat cheese voraciously and ever after, whenever available.

One day we went out cycling. In New Forest it was tea time. A short distance from the road we spotted a shack where a signboard said tea was available. The taste of bread, butter and jam that I had then lingers till today. Hunger and good health make everything delectable. I was then 19 years old. Quarter of a century later I was introduced to diabetes. Once the diabetic dietary regime took hold, I have not ever been tempted to eat what is prohibited or is inadvisable nor have felt so inclined. Now the area of prohibition is wide and

that of permissible ever shrinking yet it remains vast and a variety of delicacies is available but I have never felt deprived. In fact, a flood of gratitude accompanies every morsel.

Destruction of the Titanic: We were still at Bournemouth when Titanic's first sailing was announced. By then this ship had gained wide publicity for being the biggest in the world providing every comfort and pleasure. It was claimed that the design and meticulous care in construction had made her unsinkable. The ship was also expected to earn the distinction of being the fastest between Southampton and New York. The conjecture later was that this very base ambition led to the disaster.

A number of distinguished rich, famous and learned people were among the passengers. The lowest under-water part of the ship was so divided into compartments that in the event of one being damaged it could be isolated from the rest for repairs without threatening the other parts. From Bournemouth a ship-load of enthusiasts went to Southampton to witness her sail. The newspapers of that day were full of the wordy description and pictures of the facilities. Those on board came from every part of England. Among them was Mr. Emery, director of the owner company White Star Lines.

As Titanic lifted the anchor, the other ships in Southampton harbour sounded their sirens in salute. Thus, amid slogans and merriment this ill-fated ship set on her first, and the last, journey. Every paper was full of stories and pictures of her departure, speed and crossing the landmarks on the way. For three consecutive days the morning papers carried the news of this queen of oceans gently riding the waves. More than half the journey was over and Titanic was getting close to the destination. It was spring time when icebergs from the cold northern waters drift into warm waters. To avoid them the ships from

Europe heading for North America instead of sailing straight to Canada or New York use to make a southward loop to get to the destined port.

Commission of Enquiry: A commission, later constituted, could not reach a firm conclusion on the point as to why the Titanic instead of taking the southern route proceeded straight to New York. The intention obviously was to cut the journey short and set a speed record. But it never became known whether the decision to take the straight northern route was captain's own or prompted by Mr. Emery. Since Capt Smith chose to get buried in the sea in the bosom of his ship he couldn't appear before the commission. The sea waves however refused to take Mr. Emery in their embrace and he appeared to admit this much that he had wished Titanic to win the laurel of speed record and he had also conveyed it to Capt. Smith. However, he expressed ignorance about his choice of the northern route.

On the fourth day the news unexpectedly broke out that in the latter part of the night that Titanic had run into an iceberg and sank within half an hour. It later transpired that she was sailing at full speed got so close to the iceberg that it was hard to avert a collision. No manoeuvre worked. As the iceberg hit the ship, it sheared through. The inquiry also revealed that the number of life-saving boats on the ship was much less than legally required. Further, in the panic caused by an unexpected calamity in the dark of the night quite a few boats also sank. In short hell broke loose. When the orchestra of the ship saw no possibility of escape it struck the tune "nearer my God to thee" and went to the bottom of the sea playing the tune.

No sooner the news of the sinking reached Bournemouth, a cry of lamentation went up and grief overwhelmed many homes in every city, town and village. It became a topic of sermons in churches the following Sunday. So

horrifying was the tragedy that it could not but move even the most hard-hearted. It remained a subject of conversation for quite some time after our return to London. Ms. Parsons observed that when her father heard the news he said: "Well, to make a claim that such a ship could not ever sink was like putting God to test. Could God be ever tested?"

Many occasions arose later for me to go to Bournemouth but there was no opportunity to stay at Silver Hoe. Instead I would put up mostly at Chine Hotel that was situated at an elevation some distance from the pier with a very pleasing view from its dining room and lounge.

An idea, a reality: In Delhi, at the end of October 1939 a scene crossed my mind like a flash as if Anwar Ahmad and I seated by a window of Chine Hotel were enjoying a view of the calm sea while the rays of sun reflected in the water. Narrating this unusual occurrence to Anwar, I said that the war was on and apparently there was no possibility of our going to that hotel in the foreseeable future. But nothing was impossible if God so wished. Just a month later, Anwar and I sat by the window of Chine Hotel drinking tea after lunch and enjoying the view of the sea.

First encounter with Mr. John Lewis Gellenese: I was in London but not for long when on a rainy day in early October 1911 the doorbell rang and I opened the door. There stood a gentleman who appeared older than me by five or six years holding a bicycle. He wanted to know whether Mr. Khan was at home. His name was John Lewis Gellenese and he was being trained to be a priest of Methodist Church at Wesleyan College, Richmond. He told me that he had got my name and address from 21 Cromwell Road suggesting that I being a student from India who had just arrived and knew no one here he must find time to see me. I thanked him for taking all that trouble on a wet day. It was getting

to be tea time and he agreed to stay for tea. He told me that his parents owned a farm at Barnet to the north London. Before leaving he told me the address of his college and invited me to tea. On the appointed day I went to Richmond. He met me at the station. His college was more than a mile away and it was raining hard.

In those days it wasn't common to carry an umbrella. Only women carried it, the me would wear overcoat and bowler hat. This kind of hat could withstand rain for six months with least damage. In summer everyone would leave home with a rain coat (waterproof) on his arm. Both of us buttoned up our coats up to the neck and walked towards the college with sticks in hand. The latter half mile to the college was a steep climb and the intensity of rain forced our pace faster, so to say, double marching. His room was made cosy by log fire. We took off coats, pulled chairs close to the fire place and relaxed. With tea was served a home-made cake. Despite march through the rain, the time spent together was interesting. After tea Mr. Gellenese showed me round his college. He would visit our place two or three times in a year. Whenever he invited me to the college he would say he had received a freshly-baked cake from home and how nice it would be if I could join. In the summer of 1912 and again in 1913, I also went to his home in Barnet. His parents and sister would welcome me with great courtesy and hospitality.

In those days electric train did not go up to Barnet. One had to take a bus from Golders Green. Once it was raining hard (it seems rain had a special association with Mr. Gellenese) and the upper deck of the bus was open to sky. It was customary for women to sit below to save themselves from rain and men would go to the upper deck to enjoy the rain. The only protection provided against rain was leather aprons to cover the lower part of the body. The upper

part was protected by overcoat and bowler hat. The travel time was about an hour and all along it rained hard.

One day we went from Barnet to St Albany's famous abbey. Sitting in the front row of the upper deck when the prayer time approached I informed Jack that I would say *namaz* and did so sitting there. Many years later he mentioned it to me how deeply touched he was. In the closing months of 1913 he was appointed Methodist priest of Cornwall. In that very year I went to Falmouth in Cornwall, during Christmas vacations. Jack wrote to me that I should spend a few days with him. So I did. The station nearest to mine was three miles away. To get back to London I had to board a train very early in the day. The preceding evening we decided to meet at breakfast at a fixed hour and go on foot. I said I would need someone to carry my bag and a porter should be arranged before hand. Jack told me not to worry. Being the end of the year, the days were short and it was still dark when after breakfast I asked him whether someone had come round. He said he had and took my bag. I thought the porter would be waiting outside. As we stepped out, Jack put his thick stick through the handle of the bag and carried it on his shoulder. The bag was quite heavy. I insisted we carry it by turn but he would not listen and carried it all the way to the station. Later, whenever I happened to go to England and wherever he was posted I would go over to see him. His wife, like him, was also courteous, hospitable and always welcoming.

Jack's visit to India for recreation: Jack had long-standing wish to come to India. The suitable season for the visit would have been winter but he was unlikely to get leave. In 1938 he managed to get leave and P&O shipping arranged for him a return ticket at a concessional price. During his stay I arranged for him to put up everywhere with my friends instead of hotels so that he should get acquainted with the Islamic way of life. Once, after he had

travelled through South and Central India, he came to Simla. After a few days I took him along to Punjab, Kashmir and the North-West Frontier province. When he wanted to visit a typical rural area, I took him to my mother's family home of Data Zaidka in Sialkot. It happened to be a Friday. Many people had come from the nearby villages to offer the Jumma midday prayers in an open shady place. A chair to a side was placed for Jack. After the prayer he said it was the first time for him to see human beings kneel and prostrate before their Creator. "In our way of prayer" he said, "it is enough to bow or at best to kneel".

Kashmir cuisine: On the way back, we spent a night at Uri rest house. The dinner there was painstakingly prepared. Perhaps, the keeper wished to display his cooking skill. Saffron, as a matter of course, is used in preparing sweet rice. The cook dressed it up with gold leaf as well. The padre was astonished to note that even gold can be eaten. In the first instance he wouldn't believe that it was a meal. His guess was that the sweet-rice dishes were put there only for decoration. During the journey through the valley, Kashmiri tea was a novelty for him. He returned home after spending about ten weeks in India. He had brought his camera along. The ancient buildings, gardens, etc. were of great interest to him. The royal palaces of Delhi and Agra in particular fascinated him a great deal. He had slides made of the photographs that he had taken to show to his friends to evoke their interest in the Indian culture and traditions. His last posting was at Northampton where he settled down after retirement and died there.

Sightseeing in Norway: In the first half of the summer vacations of 1931, I went to Norway joining a tourist group. Boarding a Wilson Line vessel we arrived in Bergen and stayed at Grand Hotel. On board the ship I made acquaintance of Mr. Dobson and Dr. Court. The former was a solicitor and the latter a resident of Yorkshire where he practiced medicine. After dinner we went

out and sat talking for a while by the side of a lake. Before this visit I had no occasion to go that far in the North. I knew that farther one goes north-south from the Equator in summer the days get longer. Though till then advancing clocks by an hour in summer was not in vogue even in mid-July the nights did not get dark. The subdued light at night is a sight to behold. Without being dark it was complete silence. The faint light gave a feeling as if it was still day while the silence reminded one of night. In this kind of atmosphere voice is heard over long distance.

Illness away from home: The next day as I woke up I felt feverish. Unable to get out of the bed, I waited for a while hoping it was a passing phenomenon. But the discomfort and fever both were, seemingly, aggravating. The manager came over to see me followed by a doctor, a raw youth, who examined me with care and sympathy. I started taking the medicine he had prescribed but discomfort worsened. Mr. Dobson and Dr. Court came to see me and held out a word of assurance. After he left, besides anxiety and fever I was overwhelmed by a feeling of loneliness and train of my thoughts ran thus:

"Last year I came to England leaving behind my parents, brothers and sisters, friends and colleagues. No doubt, leaving home and dear ones had its impact but, by the grace of God, no problem arose to cause any worry. My studies too had progressed satisfactorily. Sir Thomas Arnold had been sending good reports about me to my father and he must have been pleased with me for putting my time to right use. The mother, only because of her unbounded affection, must also have been praying a lot for me. The Imam graciously acknowledges my letters. Uptil now I have followed the Islamic injunctions as far as I could and also complied with the directions of the Imam. The doctor thinks I caught chill on board the ship or by the lake-side last evening. But I have a feeling of acute anxiety as never before. The cold could signify the onset of pneumonia

compelling me to prolong my stay depriving me of cruise to the fjords of Norway. The illness would cost money that I do not have enough and I am all alone without a consoling companion. Pneumonia can kill. It will be a death in penury and helplessness far away from home. Since no one known to me is around, the strangers may dump me anywhere. My mother whom I had never missed writing would get upset on her son having forgotten her in a foreign land. She would imagine I was facing some problem and pray for my safety. And when she gets the news of my death, in the midst of her crushing grief she would also wonder that "vilayat" (the country of the ruling Englishman) is all right but where is Norway and why I had gone there. Finally, she would resign to fate as she had on the death of her children before me but keep praying for Allah's mercy on my soul. Such would also be the sentiment of my father. He wouldn't say a word but wonder after all what had persuaded me to go to Norway. My younger brothers will be grieved but only remember this much that they had an elder brother who went to England for studies and died there somewhere. The sister is 18 years old and surely would remember longer. Shamshad Ali Khan would grieve that a loyal friend had left him. Oscar would be sorry that an Asian whom he found worthy of his friendship had departed. Had I completed my studies I would have returned home to become a successful barrister, marry, raise children, earn a good name and get old. But what after that? What must happen one day cannot be much different whether it is now or 50 years later. Such being the reality of life, O my Lord I resign to Your will! All I ask for most humbly is solace for my parents and other children to be a source of their joy. O my Lord, I am pleased with You and beseech You to be pleased with me".

Disappearing symptoms of illness: As in my imagination I bade farewell to the people dear to me, the reality of life and death dawned on me. Restlessness morphed into calmness. In those few hours as a variety of thoughts passed through my mind, I neither pitied myself nor pined for anything. No last wish

arose in my mind nor a tear in the eye on remembering my parents and other dear ones. I took leave of each one of them and my thought did not return to any one whom I had already said goodbye. Finally, I presented myself alone, without a friend or a helper, before my Creator. Then, a voice rose from the depth of my being "O my Lord here I am submitting to your command" and sank into a peaceful slumber. I was asleep for no more than an hour. Waking up I felt weak but no fever. I slowly got out of bed, performed abolutions, offered prayers and started packing my bags. It was getting to be dinner time. In the lounge Mr. Dobson and Dr. Court were happy to find that I was fit enough to travel with them. By the nightfall we were on board the ship. In the morning as I woke up there was not a trace of illness. Feeling fit and strong, at Hadinger Fjord all of us went to see a waterfall near Oda.

*My illness and spiritual reason for recovery: M*aterial to my quick recovery, surely, were the medicines the doctor prescribed and Norway's clean air but for me it had a spiritual side as well. It all happened 58 years ago. Over all these years never any anxiety arose in my mind about the affairs of life nor the thought of death instilled fear in me. Later in life as the burden of failings and faults grew I often remorsefully contemplated that it would have been easier to be held to final account at the time of illness in Norway. But a thought would instantly come to mind who am I to lay limits to the mercy and forgiveness of Almighty Allah. The authority to summon, whomever and whenever, resides in Him. His attributes to forgive, overlook faults, help the humble and bestow rewards are a proof enough of His promise: "O My people who have been cruel to their own lives do not despair of Allah's mercy for He forgives all sins and indeed He is most merciful and forgiving?"

So long as He keeps you here in this world it is his grace and His blessing when He summons you. Never be in a hurry to go for what treasure do you

possess to be received in honour? Never get so fond of being here that you should feel hesitant or sad or have even a trace of remorse when He summons you. Just go saying "here I come my Lord", who has no peer, with firm belief in His mercy and present yourself beseeching: O the Creator of the universe most merciful, every bit of my being craves for your mercy while under heavy debt of Your favours. I crave to be summoned in Your infinite mercy and forgiveness, at a time when You are pleased with me and humiliate me not in Your exalted presence."

Eleven years later chloroform was administered to me for an operation that hurts the nerves. I was recovering slowly with tears rolling down. Some friends were then with me. One of them asked me whether I was in pain. I nodded to say 'no'. He asked me whether I was weeping while unconscious. "No," I said, "I am weeping on regaining consciousness." Then I recited this verse:

مادر پیالہ عکسِ رُخِ یار دیدہ ایم
اے بے خبر زلذتِ شُربِ مدام ما

[In the cup I see the reflection of the face of my Friend
O thou unwary the taste of my wine for ever lingers.]

In semi-consciousness my feeling was as if I had flown out of the cage of life and then returned to it.

Excursion to Norway's fjords: In the afternoon the ship sailed to the other side of the fjord. The fjords are the streams flowing from the sea into the land to wind their way deep into the mountains. Since the sea tides do not get that far, the ships sail smoothly through a splendid setting of vales and hills. Reaching a

branch of the fjord, we left the ship for a small hotel situated in a fascinating valley. Next morning we climbed up a mountain riding a horse-drawn carriage that resembled our old-time "bambucart". The morning air was somewhat moist but bracing. The road snaked through a jungle up the mountain. At a place called Vas in a restaurant we had a simple but appetising meal. Knowing that the bracing air of the mountains sharpens appetite, the keeper served strawberries in deep plates, instead of the usual flat, to the applause of the guests. On the walls of the restaurant were pasted letters of high appreciation from the kings and other of eminent people.

Another climb took us to a town named Framnos situated in the heart of a beautiful wide valley and then to another elevated town called Stalkeim. Some years later I read the news of fire at this hotel all made of wood as are most buildings in the Norwegin countryside. As we revelled in the beauty of nature, deep from my heart arose a prayer of gratitude for the bounties bestowed by the Creator of the universe.

Scenes of Sogon fjord: Walking through another valley, at Godenjen. We boarded the ship once again to sail for Sogon fjord. Skirted by mountains with waterfalls appearing and vanishing. The ship anchored at a hotel that once was the yacht of Kaiser Wilhelm II. There on a narrow mountain path we encountered Kaiser Wilhelm in casual conversation with his companions. Returning by ship to Bergen, I took a train to Lake District and stayed there with Mr. & Mrs. Koward. There Mohammad Hassan also joined me. It was our routine to study in the forenoon and then go on a 10-mile long brisk walk.

William Wordsworth's home: Cruising in the lake we passed by philosopher Ruskin's house and the houses of other famous men. In Grasmere,

situated in the heart of the Lake District is the home of poet Wordsworth. It is now like a shrine for his admirers.

The nearest railway station for Grasmere was only eight miles away but the maid in our house had not seen a train in her life even though she had a cycle. In a manner of saying, she was fortunate to be content with her life and chores in the village. In her face I never saw even a trace of sadness or stress.

Three or four miles from Grasmere is a hill. I had heard of Sir Hugh Gog having left his house with his dog to climb to the top of the hill. At the top a cloud laden with snow descended suddenly. There was no cave nor any other shelter. As snow kept falling and it became cold and dark, Sir Hugh lied down and his dog lay on him to transmit the heat of his body to keep his master warm. It snowed through the night and by daybreak the master and the dog both were dead. Such incidents happened often but mostly in winter.

Excursion in Grasmere Mountain: Inspired to climb up the peak one sunny afternoon without a speck of cloud we also climbed up the peak. The air up there was cool, sun was bright and the scenery charming. We were there just for a few minutes when clouds enveloped the mountain and a hailstorm followed. The wind was so strong that it was difficult to hold to the ground. There being no shelter we had no option but to squat with back to the wind. So severe was the hail that in a few minutes my hand could not feel my face. But it lasted for not more than five minutes. In no time clouds vanished and sun was shining again. We climbed down fast, hopping and slipping round the rocks.. As the cold diminished and blood circulation increased with the jog downhill, I felt as if my face was emitting flames. On the march to Grasmere, I spotted a cottage at some distance from the road where my companion guessed tea should be available. He was feeling weak and a cup of tea, he imagined, would help him recover. I told

him I would rather keep going and take a hot bath at Grasmere. Reaching home, I bathed, changed and was leisurely sipping tea when a cheerless Hassan walked in. The place turned out to be the hut of a peasant. He could still have given him tea but the peasant's wife was going through the pangs of delivery. Thus the folk there had no time to attend to him. Tea laid in front of me gave him comfort.

Sightseeing in Cousteau Island: From Grasmere we returned to Cousteau and carried on to Douglas in the Isle of Man where I stayed with Mrs. Christen. In this island every fourth person carried the surname of "Christen". Mr. Holocene, a well-known novelist of that time, also lived there. Riding a coach or electric rail, I saw all the places that were worth seeing and also went round the island in a ship. In summer many people coming from Manchester and Liverpool augment the population and prosperity of the Island. I was planning to stay there for a few more days when I received a letter from Mrs. Parsons from London saying that two months' holiday was long enough and threatened not to forward my post if I didn't return. I left for London the following day and a few days later appeared in the Roman Law examination and passed. That is how the first year of my studies in London ended.

Sardar Mohammad Akbar Khan: Sardar Mohammad Akbar Khan had joined the Barrister's course a year before me. Accompanying him to London was his elder brother Mohammad Siddiq Babur. They were nephews of Sheikh Asghar Ali ICS. Sardar Akbar was a handsome and elegant man of pleasing manners. He was punctilious about his dress and appearance but did not care much about his studies. He treated me with great affection. Wanting to shift to our house, he asked Mrs. Fyson whether a room was vacant or soon would be. Her reply was that a room was soon to fall vacant but she was committed to Zafrulla not to let it to any student from India without his consent and will have to ask him. So she asked me. By then I had been in England for more than a year

and mixed mostly with English nobility with little contact with the Indian students. I knew Sardar Akbar as a youth of pleasing demeanour belonging to a respectable family. Running boarding house was Mrs. Fyson's business and a source of earning. It wasn't appropriate for me to lay any restriction. So I told her she was free to let the room to him. So, he came in.

Excursion to East Bourne in Sardar Akbar's Company: As the 1912 Christmas holidays approached, Sardar Akbar suggested it would be better if we went together on vacation. I told him I was thinking of going to Cornwall and perhaps also to Falmouth. He hesitated for a while to suggest that Cornwall was too far away and I should choose some place nearer. He wished to go to East Bourne but I wasn't so inclined. Finally, he suggested we go to Hastings. To that I agreed. No sooner I had, he said that since I no longer insisted on going to Falmouth, why not go where he wished to go instead of a third place which neither he nor I cared much about. I laughed at his cunning and agreed to go to East Bourne. We had gone there planning to spend two weeks but I got fed up and returned to London after a week. He had taken the exam before Christmas. He failed. The reason, he gave was the number of the house which was 175. I asked him about its connection with his exam result. The connection, he said, was obvious. One, seven and five add up to 13 which is a number of ill omen. I said living in that very house I had passed five examinations in a year without failing even once. His response was that since I did not believe in omens, I wasn't affected. I told him he shouldn't either. He kept quiet but changed the house nevertheless. Our companionship nevertheless continued.

Sightseeing in Switzerland and northern Italy: In the Easter of 1913 I joined Thomas Cook tour to Switzerland and north Italy. After breakfast at Basle consisting of no more than black tea, rolls, butter, honey or jam we went

sightseeing. From a height, the view of River Rhine was fascinating as its water glittered.

*Genoa:*In the afternoon we boarded train for Genoa – Italy's premier sea port the birthplace of Christopher Columbus. Outside the railway station stands his very large statue. The sightseeing there included the white palaces, Valetta de Negri, the Holy Ground – the cemetery that has many memorials carved out of marble.

Pisa: The next stop was the ancient city of Pisa. Worth seeing is the church and the Leaning Tower – little else. Apprehensions are now arising of the Tower falling and plans are afoot to reinforce it.

*Florence:*Florence is no less fascinating. The city stands as a monument to the greatness and generosity of Medici dynasty that rose from a local smothery to Ducal heights. Among its members were the leaders of the Roman Church and some even sat on the Papal throne. They married into the royal family. Catherine de Medici's uncle was a Pope. She got married in the royal household of France. Her husband and three sons in succession occupied the throne of France. The famous king of France Henry IV and founder of the Bourbon dynasty was her son in law. The dynasty, thus, started not with the daughter of Catharine, Princess Margaret, but with Henry's second wife Mary de Medici. Catherine turned out to be an ill-fated woman. She perpetrated cruelty only to suffer one grief after another. She was a hard-hearted and narrow-minded woman. The massacre of the Christians of the Huguenot sect in Paris and some other cities on the St. Bartholomew Day was a reaction to her black deeds.

In Florence at every step one sees the evidence of the patronage of fine arts by the Medici dynasty. Floor after floor of Euphrasy and Patty palaces are full of

marvellous paintings and the there is nothing in the world to rival Piasen Signora in the art of stone-carving. In architecture, the city's cathedral and palaces and bridges on River Carno are fin specimens of its own kind. The bridge connecting the Patty Europhasy palaces is a unique marvel. Plaza Michelangelo bears a heavenly look. By its side stands Michelangelo's world famous marvel – David – carved out of stone to spellbind the visitors time and again. In the environs of Florence worth seeing is Physal with its remnants of theatres and other buildings from the Roman times. Plaza Signora runs through the centre of the city and one comes across it time and again and every time it presents a different and scenic view with the changing daylight. The centre of the city has been spared the ravages of modernity and so it will remain unless the nuclear energy with its relentless force turns it into a rubble. In its present state every stone and brick bears witness to the medieval age of Florence and also comprehensively mirrors the history of Italy. The lowest of the low as also most exalted manifestations of human nature and marvels of achievements are stamped in brick and stone. Every stone carries a lesson for the discerning eye.

Italy's famous poet Dante was a native of Florence. From the height of the dome of the Cathedral can be seen the city, and its environs, in their splendour. Going up however needs patience and courage. The staircase of the dome is dimly lit and narrow. Nevertheless, I went right up to the top and marvelled at the variety of the scenery around. As far as I could count, from the base to the top the dome has 361 steps.

Quality of Italian language: Of all the European languages, Italian is the easiest and the sweetest. Pronunciation and grammar both are easy to learn. Anyone knowing English or French can learn it without exerting much. Next to our hotel – in fact in a part of its building – was a cinema where I once went to see a picture. That was the age of silent movies. At the bottom of the picture the

explanations were in Italian. I had little difficulty in making out the meanings. The Italian names and words are pronounced somewhat differently from English but, unlike English, there is no deviation from the set rules. English pronunciation has no set rules. Whatever has gained usage is considered correct but is bothersome for the foreigners.

Venice: Venice is a wonder of the world. A string of islands intervene between the Adriatic and the city to stem the tide. Big ships navigate around the islands to enter the vast, deep lake in which the city is situated. The lake is deep and lanes marked by bobbing are dug for the ships. The rail and roads pass over a dam shaped like an arch to get from one end to the other. Piazza Rome has one open and another seven-storeyed car park beyond which cars cannot go. A ferry however can take them round the island and up to Lido Island. It has roads on which cars, horse-drawn carriages, bicycles and trains all ply side by side. The side of the island facing the sea has a number of bathing beaches. The water in the lagoon is still while the waves wash the seashore.

Venice is known as the city of palaces and also as the queen of the sea. It has a big port but its unique feature is buildings founded in water. Where there is no building, street or square it is water. Hundreds of criss-crossing canals serve as lanes or streets. The longest and the widest running through the centre of the city is the Grand Canal. Through the middle or alongside the palaces and homes run paved streets. The biggest square, St. Marks, is said to be the prettiest in the world. Venice is known for glass, leather and silk handicraft. Since Venice has no cars, carriages, bicycles, horses, mules or donkeys, the festive pedestrians in the squares and markets are not disturbed by traffic. Next to the St. Marks Cathedral stands the "Doge" Palace. In the Middle Ages, Doge was Venice's supreme ruler and the Republic of Venice was counted among the powers of Europe. A vast tract of adjoining land was under its sway. Trade with the East

was mostly handled there. After election, Doge in a magnificent procession of sea craft would enter the open sea and throw his ring in the water to "own" the sea as his bride. The main gate of the Doge's palace opens on the Square but the gates of its upper floors are towards the Grand Canal which is its widest and most frequented stretch of magnificent view. In the evening, the St. Marks Square and the bank of the Grand Canal alongside attract a lot of visitors and the Venetians also gather there. The visitors relish the sights of Venice and, in turn, the residents enjoy looking at the visitors. One can walk from one end of the city to the other as thousands of bridges span hundreds of its big and small canals. The streets and squares, one and all, overflow with tourists. Along the Grand Canal is an unending chain of palaces, churches and hotels in a variety of marble colours. About half-way along the Grand Canal is the famous Rialto Bridge. On its both sides are 24 shops. Since the sea-going vessels and smaller craft have to pass under this bridge, as also under all other bridges, it is shaped like an arch. The pedestrians climb up the stairs on one side and climb down the other.

Besides St. Marks, there are many other cathedrals, the Academy, Doge's palace and glass works worth seeing. Truly speaking all of Venice is a museum built in a lagoon and protected against the sea tides. Since the lagoon water, being still, stagnates it is not very refreshing to sail through its narrow canals. The ships and boats keep churning the water of bigger canals but the debris and rubbish of the houses keeps floating for the sanitation patrol boats to gather. The best months for a trip to Venice are April and May or September and October. In winter it tends to get hazy and in summer stuffy. It is said the palaces and buildings of Venice are slowly sinking – an inch or an inch and half in a century.

Milan: It is the biggest city of northern Italy and busiest trading centre of the whole country. Travelling to Milan were two American ladies in my compartment. Sensing a stranger in me they started talking to me in a way of

caring concern. After enquiring about my person and nationality, they put question to me concerning religion. Finally they asked me what was the most common prayer. I recited to them "Al-hamd", translated it in English and explained its central thought to them. Having heard, the older of the two said such a prayer could not go unanswered. She got interested in Islam and asked whether she could get a book in English about Islam. I recommended to her mine – The Teachings of Islam – and also gave her the address in London where it could be had. She said she would surely read it.

Milan's most famous monument is its Cathedral – a magnificent structure of red stone. Now there is a lift to get to the roof of the Cathedral. When I went there first in 1913 it was climbing up all the way by stairs numbering, I guess, 402.

On the wall of Milan's St. Maria Church is painted Leonardo de Vinci's world famous masterpiece "The Last Supper". It took the painter a number of years to complete after working for hours at a stretch. But sometimes he would pay no attention to it for weeks, even months, together. On completion it transpired that for some defect in the coating on the wall the painting would not last long. However, it is still intact. It is believed that at the time the picture was painted the church was part of a convent and the room was its dining lounge. Some years later, I went to see the Milan symmetry. There I came across something new – a modern crematorium where the people dying, or their heirs, as they willed are cremated by fire, electricity or gas. That left me wondering on formality and novelty even in death.

Lugano: From Milan we proceeded to Lugano, a Swiss city situated to the South of the Alps on the bank of a lake of the same name. As it is situated on the border of Italy, its cuisine, language and culture all carry Italian stamp. Streets

and squares are immaculately clean and the undulating homes on the bank of lake make the town look very attractive. The reflection of the hills imparts to water a beauty of its own. Going North from Lugano, the train passes through St. Goathard tunnel, Europe's longest. In those days rail engines ran on coal filling the tunnel with smoke. If a window was left open smoke filled the compartment causing great discomfort. Now trains are electric and smoke agony has come to an end. We stopped for a while at Loussane which is also situated on a lake of the same name.

During the journey I got to know a well-to-do lady named Mrs. Wate who lived in the suburbs of Leeds in Yorkshire county. She made me promise to visit her in the summer vacation. Keeping the promise, I went to see her. She received me with great warmth. Among her friends was one Dr. Lloyd. In the course of conversation with him the subject of religion came up. As I criticised the belief of Holy Trinity, he said he too considered it a negation of common sense. I was surprised to hear it for, till then, I thought every Christian believed in it as he does in atonement and divinity of Christ.

In our home, on occasions, discussion took place on religious beliefs and spiritual values. One day I was busy studying in my room when I heard Mrs. Fyson and Ms. Parsons talking. Though they were a floor below I could hear them talk for they were outside their room or, perhaps, they imagined I wasn't in my room. I heard Mrs. Fyson say: "From whatever he has to say it appears to me that the teachings of Islam are more sensible than Christianity's. Ms. Parsons said something in response which left an impression on my mind that she didn't agree with Mrs. Fyson. Again, one day a religious topic figured in our conversation at the dining table. Ms. Parsons come up with no answer to the point raised but said: "I may not be able to support my belief with argument but I am prepared to lay down my life for what I believe". I was immensely impressed

by her sincerity for many people are enthusiastic in stating their belief but their conduct does not bear it out. Having heard what Ms. Parsons had to say, I became ever so careful that the words used and the manner of arguing should, in no way, hurt the sentiments of others.

Visits to Sweden, Finland and Russia in the company of Sardar Mohammad Akbar Khan: As the summer vacations of 1913 approached I had a mind to go to Sweden, Finland and also St. Petersburg (then the capital of the Russian Empire). Sardar Mohammad Akbar Khan agreed to join me at Hellingforce.

Finland was not a free country but a part of the Russian Empire with a special status and had a parliament of its own with 19 women members. The men and women were all literate. Under the Finnish law no marriage could be solemnised unless the bride and the groom both produced evidence of being literate. In civilization and culture, as in every other department of life, Finland was ahead of Russia. I took a train to Norwich and from there sailed for Gothenburg on the west coast of Sweden. Sardar Mohammad Akbar Khan was to travel to Hull from London by rail and then sail for Hellingforce.

Sweden: In those days an inland waterway linked Gothenburg with Stockholm. In Gothenburg I learnt that the river-port for the ships was situated at some distance from the city. Being a stranger, I hired a taxi and told the driver to take me to the place from where ships depart. By then I had been in England for nearly two years and it was the first occasion for me to hire a taxi for my own use for there was no other alternative. When I got to the departing point, I was somewhat puzzled whether I had been able to convey to him where I meant to go and whether he had brought me to the right place. There was a ship, indeed, but small and pretty like a toy. Since it was in the water, I imagined it couldn't be but a ship. Around it was all green moss and river was nowhere to be seen. I

happen to spot a small staircase that led me to the deck of the ship. A bell rang once or twice to indicate that the ship was about to move. Though I had a ticket bought from Thomas Cook's London office, I was told that being the vacation season and the ships crowded, I was unlikely to get a separate cabin or even seat in a cabin. I went to see the captain. He told me I was lucky to have arrived just in time for the ship was about to lift anchor. No cabin was available but he would tell his chief engineer to vacate his cabin for me and though, ordinarily, two passengers get a cabin I would get one to myself. Thus assured, I looked around to discover that the river was wide but the channel was not visible because of thick-growing moss. As the ship sailed the moss vanished and the channel appeared in its full width.

Gothenburg city and port since then have expanded a great deal and so, I imagined, must have the anchorage for the excursion vessels. Though all the cabins in the ship were occupied the number of passengers couldn't have been more than 25. In those days a ship would sail for Gothenburg only three times in a week. Had I not got there in time, I would have been forced to stay two nights in Gothenburg to wait for the next sailing. In an hour or so, all passengers got to know each other as if we all belonged to one clan. The journey was enjoyable, food was good and plenty, air was fresh and bracing. Though the vessel was sailing in water the feeling was as if we were on the land as on both banks the rural life chores were in full view all along.

From below a fall the ship was carried by locks to the top of the fall. The locks were 18 or 20 in number and it look the ship an hour and a half. All this while, the passengers disembarked to enjoy the view as they climbed up and the vessel passed through the locks. A power station generated electricity from the force of the falling water. I hear it has expanded so much as to leave very little

water for the fall. In other words, the fall has all but disappeared. The beauty of nature with its wondrous colours thus has succumbed to technology.

As the ship came up we boarded again. The view from the top appeared more charming than the lower stretch of the river as the setting sun cast a kind of gloom across the face of the nature. Alongside the river, not to speak of a town, there wasn't even a hamlet or human activity of any kind, only brooding silence. As the river took a full circle, the captain announced that those who wished to enjoy a walk in the moonlit night may get down to board again at the end of the bend. Agreeing to his suggestion all of us walked on a narrow path as the ship drifted farther till its search light went out of sight. The moonlit night was fascinating but no one among us was sure which path would lead to the point where the ship's circle would end. Soon we spotted a farmhouse. The inmate came out. He did not know English but by gesticulations we were able to convey to him our problem. He smiled, shook his head, fetched his cap and stick and led us to the meeting point minutes before the ship arrived. At the deck the crew served beer to our caring guide and we cheerfully bade farewell to him.

Stockholm: It is a beautiful city known as Venice of the North. Excursions to the islands around were interesting. In its Chapel is Disery's grave who was the ancestor of the wife of the founding father of the present dynasty. In the early part of the nineteenth century the Swedish throne fell vacant. Looking around for a monarch, the selection fell on Napoleon's General Bernadotte who was also a Marshal of France. When a Swedish delegation offered the throne of Sweden to him, he consulted Napoleon. Though Napoleon did not tell him not to accept the offer, he let it be known that, to him, it was not much of a hounour for a French Marshal to be the king of Sweden. Notwithstanding, Gen Bernadotte accepted the Swedish offer to the displeasure of Napoleon. A few years later Napoleon was imprisoned for life in St. Helena and his brothers, too, could not long retain

the throne bequeathed by Napoleon. Gen Bernadotte's grandson, however, is still the King of Sweden. A sister of Bernadotte's wife, and perhaps she herself also, was a favourite of Napoleon. After he became the King of Sweden, she continued to live in France till her last years. Since she did not attend even the coronation of her husband, she never came to be known as the Queen of Sweden. At her tomb stone etched in golden letters is just one word – "Diserey" – her name.

*Travel you must, hospitality will be forthcoming:*Sailing back from Stockholm, I came across a Russian named Nicolosolvich. He traded in precious stones in St. Petersburg. When he came to know that I, alongwith a friend, planned to visit Petersburg, he insisted that we must see him there. So, when Sardar Akbar Khan and I went to Petersburg he invited us to dinner at his home. The meal suited our taste. Sardar Sahib said it was after three long years that he had eaten *karela* (bitter gourd) cooked in meat reminding him of home. After dinner our host took us by boat to the islands. His hospitality and affection, just after a chance encounter on a ship, were overwhelming. Being students he stood to gain or lose nothing by making our acquaintance. He was an ageing, noble and prosperous trader. Fifty years later when I went to Russia for the funeral of Foreign Minister Gromyko, though my stay in (Leningrad) Petersburg was only for a day, to commemorate the grace, courtesy and hospitality of that noble jeweller, I went to No.26 Noshi Prospect to have a look at the place where he ran his business.

*Helsingfors, Finland:*The ship arrived at Helsingfors at six in the evening but the sun was still at its zenith. In south Finland sun shines for 16 to 20 hours. Walking through the Esplanade I went on to the inner port with its buzzing market and on to the Observatory Hill for a panoramic view of the inner city. There stands masterpiece of a monument in black marble called " Thi

Shipwrecked". At its center is a husband who is a picture of determination, vigilance and responsibility. Clinging to him are his wife and children with fear and fright writ in their faces.

Small vessels from the outer harbour sail in all directions. Around Helsingfors, as in Stockholm, are a number of island retreats. The vessels running between the port and the island provide a kind of omnibus service. In the islands I would go out for walks, sit down for an hour or two, read a book by Macaulay, keep it aside for a while and marvel at the surroundings.

*Petersburg – now Leningrad:*Together we went to Petersburg. At the station we hired a *drozki* (horse carriage) for Hotel Englitere in St. Issac Square. The driver, though young looking, despite the heat had himself wrapped in a layer of clothes and that too so profusely stuffed with cotton wool that he looked like a big bag of cotton himself. That dress was not peculiar to him alone. All coach drivers there looked like stuffed bags. The reason discovered for this attire was that in winter Petersburg gets frightfully cold but the seat of the driver is open to the sky compelling them to wear stuffed clothing. They get so used to this dress that they keep it on even in summer. It is also possible that in those hard days they couldn't afford to have a separate set of clothing for summer. When we told him the name and location of our hotel he nodded in the affirmative, smiled heartily whipped the horse. The carriage looks like a Victoria with smaller wheels.

In winters when ice hardens on roads, the wheels are replaced by skis converting the carriage into a sledge. In those days the roads and shopping centres of Petersburg were dimly lit. The carriage driver, as if to cut the distance short, drove us through dark and narrow streets. Petersburg then didn't enjoy a good reputation. We got worried as to where he was taking us. Occasionally,

Sardar Sahib would use a Punjabi expletive and ask him what was he up to. His ears were obviously not familiar with Punjabi or English sounds but from Sardar's loud and questioning language he could make out that he was addressing him. He would turn round, smile, nod and after naming the hotel would repeat the words "*Bol Shia morris kaya*" which we could neither understand nor found assuring. Later, we learnt that he was referring to a large canal near which our hotel was situated. Sardar Sahib would smile and throw some more expletives at him and brandish before him a big stick with a silver handle. Finally, we emerged out of a dark street into a lit square and the coach stopped in front of Englitere hotel. Sardar Sahib and the coach driver bade farewell to each other with a hearty laughter.

Russian churches of Leningrad: We were afraid of going to Petersburg for we had heard and read stories of the Czar's secret police. But we found the city interesting where at every turn was to be seen a blend of the East and West. In the centre of Noski Prospect stands Czar Alexender Third's memorial church with its multicoloured dome. Across the river a labourer was working. I asked him – "Muslim"? His face lit up and nodding in affirmative forcefully replied "yes, yes – Alhamdolillah" – Allah be praised. I recited the *Kalima* (basic tenet of Islamic faith), he repeated it. Both sides understood they were brethren in faith.

St. Issac's church was right in front of our hotel. Its architecture is Western but unlike the churches in other Western countries it had no pews inside. The worshippers stand and kneel. In the absence of seating, interior of the Russian churches somewhat resembles Islamic mosques. But that is where the similarity ends for the walls and ceilings of the Russian churches carry religious paintings and icons are kept all around. In Mary's statue a large ruby was fixed in place of

heart and the eyes were of green stone or emerald. Some frames looked as if made of gold.

In 1913 the population of Muslims in Petersburg was no more than a hundred thousand. Most among them were Tatars posted to guard the palaces of the Russian aristocracy. The reason being they did not drink liquor and thus could cope better with the task. Fifty years later, I again went to that city (Leningrad) for a day only, yet I went to see the mosque. It was populated and in use. The Imam was not there and I missed seeing him.

Places to see in Leningrad: In Petersburg (Leningrad) the best to see are the Winter Palace and Hermitage situated side by side across the river. The two palaces, a memorial to Catherine the Great, are now museums full of memorabilia. In 1913 the Winter Palace was the residence of the Czar. So extensive was this palace when the Czar lived in it that on the roof of the uppermost storey where the royal retinue resided were tied herds of cows and other domesticated animals. Most precious of the curiosities in the museum were the gems and jewellery of the royal household. The palaces attract a host of tourists all the time – much more than in 1913. Then the outer plaster of the Winter Palace and Hermitage both was in deep red colour. Now it is light green and white which is more pleasing. Between the Palace and the Hermitage stands a statue of Peter the Great astride a horse. The statue faces river Niva. The connoisseurs of art much admire it. The rider and the horse both appear as if in fast motion. The front legs of the horse are raised above the ground and the hind legs and tail seem to carry the full load both of the rider and the horse. The tail is ponderous and touches the ground as the two hind legs do. Thus the two feet and tail of the horse form a triangle that carries the full weight of the statue.

We also went to see the palace of the Czar at Peterov outside Petersburg situated on the bank of Finland Gulf before taking a train. At Baltic station we saw a military officer treat a soldier, who had brought a parcel for them, with utmost contempt. From the reaction of the soldier it could be guessed that he expected no better treatment. That greatly surprised us and we got the impression that, in those days, the sentiments of courtesy and sincerity between the officers and soldiers were wholly lacking.

We did not go inside the Peterov Palace for the guards gave an impression as if the Czar and the royal family were in residence. By the time we came back to the station it was getting to be dinner time. We thought of having dinner there but no one in the dining hall understood English. The manager gestured we wait while he fetches an officer who could. He acted as translator and we got the meal of our choice. We immensely liked it. The price was also reasonable.

Finland: From Petersburg we headed for Nishat via Fryeburg. It was then customary in Finland in summer season for the offices at places of interest to remain open where educated young volunteers served the tourists. The incharge of the office there was a sophisticated woman named Nina. From Nishat we went to Imatra. The hotel there was situated at a vantage point by river side with a fascinating view of water swirling round the rocks. We enjoyed the morning bath in ice-cold water though one could stay in it but for a few moments. I hear now there is no fall for the river water had been diverted to generate power – yet another sacrifice at the altar of progress.

From Imatra we went back to Wilmanstrand to take a ship to Copeo. This journey was all through the lake. Finland has an unending chain of lakes, islands and forests. In no part of the journey by ship one can see no water, even for quarter of a mile as the ship remains surrounded by verdant islands cutting its

path through them. From Copeo we want by rail to Kajana. Situated on a large lake of the same name it is no more than a big village but being the exit point for the forest produce of northern part of Finland, it has an importance of its own. All buildings are made of wood as was our small hotel. The air is loaded with the scent of pine trees.

Interesting but hazardous journey: The next day we had to leave at six in the morning. "Why so early", Sardar Akbar asked. I said because the ship sails at six. The facility was that the ship departed from the hotel and breakfast was to be served on board. He asked where were we going. I told him by ship we would go just to the other end of the lake which would take barely four hours. From there we will have to take a boat to travel to the bank of the river called Elia. Passing through three Rapids when we get to the placid waters we shall have to leave the ship there to take a steam vessel to Uliaberg. He asked what could be so fascinating about it all. I told him that through the Rapids boat sails very fast which is not at all free from danger but very interesting. He asked what was the danger. I said it was of two kinds. One is that haze descends very early in those eastern parts and if it enveloped the area at the time the ship is passing through the Rapids there would be a great danger of sinking if it were to hit the bank or a rock in the middle.

Secondly, at the last Rapid the ship has to hit a mountain and go round it in whirlpools. The place was full of danger and if the boat was not steered round just in time, it can hit the mountain and break into bits. And if it took a turn a little before time it could get caught in the whirlpool and sink. He said where lay the fun? I said the fun lay in getting out of such dangerous situation fast and safe. On that Sardar Sahib heartily laughed and said why should we get into such a danger at all? "My old mother", he said, "had sent me here to study and not for such antics. What is the compulsion for us to put our lives in danger". I tried to

make him understand that like sliding down a snowy mountain slope or climbing up a high mountain "Shooting the Rapids" was also a kind of a sport. But he wasn't convinced and wondered whether I was at all aware of the extent of risk involved in the venture. I told him that I had read in the books that some 20 to 30 per cent boats get destroyed. Hearing this he said going on this adventure would be sheer madness. He wouldn't go at all and nor should I. But if I must I should go alone and arrange for him to go back. We went back to the station to find out some other way for him to get back. But station building was under lock and key. That too amused him. An attendant was sweeping the area in front of the building. He couldn't follow what we had to say nor could we what he had to say. Through gesticulations and a few German words all that we could make out was that just one train in a day arrives there (by which we had also come) and goes back. Finding no alternative we came back to the hotel for Sardar Sahib only to say "such was our luck".

Shooting the Rapids: The next morning we boarded the ship to the lake to reach the source of the river Elia by 10 o'clock. There the ship lowered the anchor in the middle of the lake and a waiting boat about four feet in width and 20 feet long docked alongside. At one end of the boat sat an oarsman and at the other a youth who was his son or pupil and also his assistant. The passengers sat in rows of two. We faced the end where the boy sat. Then the oarsman started rowing towards a stream. Gradually the stream gathered speed carrying the boat faster. Barely after four or five minutes a high barrier of rocks loomed ahead. The boat was just heading into it. Water was gushing out of a void in the barrier. The biggest of the voids wouldn't be wider than six feet. The boat went through it like an arrow to enter the river. This was the first of the Rapids six miles long. The flow of water was fast and the boat on its undulating surface was going as if dancing. The high banks of the river seem to be running in the opposite direction. It appeared as if the banks were running while the boat was dancing

just at one spot. The distance of six miles was covered in a few minutes and the boat reached a calm part of the river. A waiting steam boat threw a rope across which our oarsman tied to the boat. Thus the steam boat started towing our boat. Here the river became wider and the banks lower. All around was serene silence. The steamboat moved slowly.

In contrast to the Rapids this part of the journey was at a languid pace devoid of excitement. Passing through the Rapids our thoughts were occupied entirely by an unusual feeling of which we had no previous experience nor an idea. There was no time or occasion for conversation nor were we so inclined. Even otherwise the instruction was that while going through the Rapids no passenger should talk to the oarsman. He must concentrate on rowing alone. With slight jerks of the oar he would steer the boat into relatively deep waters out of the rocks and whirlpools. Then his face and body both seemed to be in a state of convulsion with eyes fixed on the waves and facial veins bulging. We sat with backs towards him. Though sitting squeezed with little room for movement, we would crane our necks to see him because as far as human skill and care could go our safety was in his hands. Occasionally, Sardar Sahib and I would talk to each other. Though he wasn't happy about this part of the excursion and only the circumstances had forced him to undertake it, once it began he showed no anxiety nor complained of discomfort. Instead, as was his wont, he would laugh at every thing and dismiss its dangerous aspects in good humour. One of the two passengers sitting ahead of us was a travelling salesman with a smattering of the English language. He was young and slim. Whenever we felt the need of knowing something he would tell us himself or we would ask him. The other man was middle aged, tall and rotund. All along Sardar Sahib made fun of danger. Whenever the danger seemed to grow he would say "may God save us from drowning with this Brahmin".

At midday in a calmer stretch of the river the boat came along a bank. The bank was high and in the boat there was hardly a room to move. Sensing an opportunity, we climbed up the bank and strolled around for a while. Near the bank an old woman was selling black tea and stale pastry. There was no sugar for the tea nor, unexpectedly, even milk though in Finland milk is available everywhere. In fact in small towns and villages milk and curd are served with meals like water and without a charge. Since we were told that there would be no halt for lunch, we had a hearty breakfast on board the ship. For lunch we had to be content with black tea and stale pastry.

Second Rapids: As we approached the second Rapids the oarsman untied the boat from the steamboat and we started drifting in water and were soon dancing on the fast, undulating nine-mile long surface of the Rapids. Here too it was the same feeling as on the first Rapid. The journey was soon over and out of the Rapids our boat was once again tied to a steamboat. Ultimately we entered the third and last Rapids. Toward the end the river appear to vanish under the surrounding mountains. The boat headed fast in the direction of the mountain and there seemed no escape from a collision. Suddenly a gap appeared in the mountains and the boat which so far seemed to be dancing in exhilaration went into a spin. Some passengers cried uncontrollably. Then we felt as if by a stroke of the oar the banks and the mountain were circling around the boat at a great speed. This feeling lasted but a few moments and then the banks and the mountains both disappeared and the boat seemed sailing fast on a smooth surface. The river stream widened again and the banks, though still high, were at a distance and did not seem to be encircling the boat.

Soft earth replaced hard rocks as the boat advanced towards the steamboat anchored along the bank. We guessed that the ship would take us to Elianburg. However, we sensed from the nervous conversation of the passengers that

something unexpected had happened. The merchant who was our companion in travel told us that we were late in arriving and the ship for Elianburg had departed. The ship anchored there was to leave the next morning. We required about the overnight stay and were told that a room would be available in a farm nearby. As the boat came to the coast and we disembarked with the baggage, our travelling companion looked around, telling us to hold for a while, made a sprint for a three-wheel cart lying upturned some yards away and bought it pushing to us. Without saying a word he put our bags in the cart and started pushing it up the higher end of the bank. The other passengers carrying their baggage were also going that way. Climbing up the bank we observed greenery all around. In between the fields were the homes of farmers. We headed towards a home that was larger and more conspicuous than the rest. Getting there, we learnt that arrangements were made before hand for the passengers in the house. Rooms were spacious, airy and clean. The furnishings were simple but adequate. We were told that since the ships destined for Elianburg halted there the owners of the house had standing arrangements for the overnight stay of the passengers.

Ready after a wash, the traveling companion told us that we must go to a nearby farm where the dinner was arranged. Half a mile's walk through the fields was a change most refreshing after a cramped journey in a narrow boat. That house too was tidy and in a larger room there was a table full of variety of all kinds of hot and cold food and a variety of breads. Delicious fruit and green tea was aplenty. Starved for a full day, we ate heartily. Two ladies of the house were in attendance relaxing in chairs, busy in needlework or stitching and talking to the guests at the same time. The atmosphere was homely and the evening interesting. The price of meal was so small that I never ever had such a good meal at such a low price. All of us were asked to pay just one Finish Mark each – then equal to ten British cents. Everything in Finland was available at a

reasonable prices. Belgium and Finland were then considered to be the cheapest countries of Europe.

The next day in a steamboat we got to Elianburg which was our northern-most destination on this trip. Our programme initially was to go farther north from there around Lake Bothenia, on to Sweden and back to England. Later we changed the programme and after a day's stay in Elianburg we came across two or three Laplanders. One of them was the carriage driver and the other two had come to the town to buy goods of daily use. The rail journey was long but gave us an opportunity to see the country and the way the people lived. In those days mostly wood was used as fuel for the rail engines. The use of coal was rare. A passenger was taken up as fireman. He would save the fare and railways the wages. No dining car was attached to the train but it would stop at a station long enough for the passengers to eat at leisure.

We were travelling in second class. A passenger in the adjoining compartment would join us wherever the train stopped. Though he did not speak English, guessing our needs he tried to help us in whatever manner he could. He would sit with us at meals, help in selecting the dishes, pay the bill and take care of us in every other way. The train stopped at a station for dinner. After eating as we returned to our compartment we saw beds made up both on the lower and upper berths. That put us at ease for we were worried that we may have to sleep on the mattresses. Then we learnt that bedding was provided without extra charge. But that was only in Finland. The bedding was clean and crisp. The night was spent in great comfort. God be praised that our travel was very pleasant and we retuned to England safely.

Mrs. Mea: At the beginning of summer that year my class-mate Mohammad Hassan suggested that I should shift my residence to No.4 Lone Crescent in Kew

Gardens – the house where he lived. I was hesitant a bit though I liked that area and often went for walks in the garden there but my living arrangement at Mrs. Fyson's was satisfactory and I wasn't inclined to change without a reason. Mr. Hassan, nevertheless, insisted that I should have dinner with him one evening. I liked the house and food was excellent. The landlady, Mrs. Mea, treated me with great courtesy. She owned the house and also the adjacent house. Her husband was branch manager of a bank. On death he had left his widow fairly prosperous. A woman of cheerful and hospitable disposition, she had no children. The house was more like a home than a boarding house. The lodgings comprised of two rooms. In summer, Kew Gardens had special attraction. I shifted in a week or ten days from Mrs. Fyson's to Mrs. Mea's house.

Mrs. Mea was not a typical London landlady whose first concern is to earn her living. Mrs. Fyson management was exemplary marked by honesty, hard work, character and courtesy. So long as I lived in her house – before shifting to the Kew Gardens and again back there – I was recipient of her affection. She kept her dignity and yet managed the household with care keeping account of every penny spent so that her living was not put in jeopardy. Mrs. Mea, however, had no such compulsion. Besides the two houses, her husband had also left some other property. She wasn't pressed to keep lodgers nor was the rent a source of livelihood for her. The rent of her two well – appointed rooms was less than Mrs. Fyson's one room. The quality of meals was also much better. When I received the bill for the first month I noticed that it showed only rent and no other expenses. I told her she had missed out some amounts. What amounts, she asked. I said my friend Mr. Burnler had been visiting me and had lunch or dinner, some time both, but she had not added the amount to the bill. Taken aback a bit, she said that she had heard us say that we entertain guests but do not charge for it, "you live here with me therefore your guests are also my guests so why should I be charging?" I tried to explain the difference but she wouldn't agree.

Whenever I went for dinner to Lincoln's Inn, or to a friend's place, on return I would find cold meal on the dinner table. Since I didn't feel like eating I would let it lie there. The next morning Mrs. Mea would appear unhappy as I didn't seem to like her food. I would explain that I had gone out only to eat but she would complain nevertheless and say "the mothers of you boys living far away from home must be worrying whether their children were getting enough to eat".

Chaudhry Fateh Mohammad Siyal arrives in London: As Chaudhry Fateh Mohammad Siyal reached Woking, I found him quite upset. He had sore eyes, meals were not to his taste and neighbourhood was not to his liking. The real cause of his distress, however, was that though Khawaja Kamaluddin had written to the Imam that he was weighed down by work (and that indeed was true) it was not his intention that the Imam should send an assistant and that too of Siyal's standing but a servant devoted to him alone. He, therefore, called over his clerk Sheikh Noor Ahmad from Lahore, an old and virtuous man who served Khawaja Sahib willingly and was content with simple diet and dress. Khawaja Sahib expected Chaudhry Sahib to work and live like Sheikh Noor Ahmad which was not acceptable to him.

Difference in the viewpoints of Khawaja Kamaluddin and Chaudhry Fateh Mohammad Siyal: I had known Chaudhry Siyal from my student days in Lahore. Hailing from the landed gentry, he ate heartily and spent money freely. But what worried him most was that Khawaja Sahib did not allow him to take part in the missionary activities. In such a situation. There was hardly a scope for cooperation and unity of action between the two. Khawaja Kamaluddin was indeed the founder of the Woking Mission but he paid no heed to whatever Chaudhry Sahib had to say. In these circumstances I invited him to spend a few weeks with me in London. I got him a room, meals and some clothing. Food at Mrs. Mea's was very good and in the orchard of her house were good quality

pear and apple trees. All that cheered him up in the city environs and society. He also came across some Indian Muslim students whom he had known from his days in Government College. Mirza Badruddin was a teacher in Sialkot's American Mission High School where I had been his pupil. Some Years later he came over to England for barrister's degree. He greatly admired Chaudhry Sahib. I often heard him say that he was not a human being but an angel.

Return to Mrs. Fyson's house: In September 1913 I passed the final Bar-at-Law examination. Soon after that I felt as if by living in Mrs. Lea's home I was getting used to excessive comfort which possibly could be a source of worry in later life. The lifestyle of a student should be much simpler, I thought. Though the expenses of living with Mrs. Mea were less than in Mrs. Fyson's house, the luxurious living style weighed on my mind. I decided to go back to Mrs. Fyson.

Being beholden to Mrs. Mea, it was difficult for me to explain to her my reason for leaving her. Had I told her she would have surely suspected I was concealing the real reason so as not to hurt her. May be she thought I didn't get full comfort though I was running away from excess of comfort. I heartily thanked her and tried to make her believe that I had, indeed, lived in luxury. The excuse I made was that in winter living close to the city would be convenient for me (that was indeed true). She let me go without whiff of a complaint. So I returned to Mrs. Fyson's lodgings and spent the 1913 Christmas holidays in Falmouth and Cornwall and the following 1914 Easter holidays in France, Belgium, Holland and Rhine Delta of Germany.

Death of the First Imam: Before I embarked on my travels, the news of the death of the first Imam was received and differences on the succession arose.

Visit to France, Belgium, Holland and Germany in the company of Mr. Yusuf Imam: As holidays began, I set on my travels. My companion this time round was Yusuf Imam who was studying at Oxford and, simultaneously, preparing for the bar examination. Hailing from Mirzapur (UP) he was a man of gentle disposition inclined to be aristocratic. On return to India, he got involved in politics, turned nationalist, dressed coarsely, was elected to the Central Assembly but soon died.

Paris: At Paris we stayed in Balzac Hotel close to Chains Elise for a week to see whatever was worth seeing.

Brussels: In Brussels we put up in a hotel near the station surrounded by a string of magnificent buildings representing Flemish architecture. The city's largest cathedral was nearby. The parliament was then in session. We watched its proceedings. In the outskirts we went to the Waterloo battlefield. In its middle stands a memorial with a Belgian tiger atop. The British visitors were elated imagining that it was a British tiger. My friend Burnler came from his village to see us. After Brussels we went on a day's trip to Ostend, Broogs and Ghent. Later, passing through Namur we stayed for two days at Denant, a pretty town on the right bank of Muse river. Now it is a large size town straddling the river but without its old charm. Our next stop was Cologne.

Germany: Cologne is situated on the right bank of Rhine river. Walking along the river Yusuf Imam stopped suddenly to ask "O brother, where are you going". I said "nowhere, only to walk." He said we had enough of walk and so it was always for him. Walking he would get tired. From Cologne we took a train for Bonn, famous for its university and then boarded a steamer to the upper reaches of the Rhine which was like a moving luxury hotel. Wherever it stopped we got off for a walk. After Bonn the next sizable town was Koblenz where river

Mosel meets the Rhine. At their confluence stands the statue of Kaiser Wilhelm. Later, on more than one occasion, I had a chance to pass through this valley and every time enjoyed it enormously.

Along the banks of rivers in Europe human habitations form almost a continuous chain. River Rhine which is Europe's historic and busiest waterway is always crowded with ships and boats and both banks of the river rise to meet the hills to make the scene extremely attractive. On hill tops stand the palaces of aristocracy that look like castles. Most beautiful among them with history behind it is Stolen falls. Poet Byron's famous poem "Child Herald" gives a most fascinating account of this part of the Rhine. During the return journey I kept before me that poem to identify the places named in it. That doubly enhanced the pleasure of the journey.

Heidelberg: From Mains the ship sailed to the beautiful city of Manheim where we boarded a steam-driven train to Heidelberg – the most fascinating of all places on this leg of the river journey. This city straddles river Necker which a few miles downstream falls into the Rhine. The university of Heidelberg is reputed for its learning more than the university of Bonn and the town is also known for its martial traditions. Heidelberg's crowning distinction for a Pakistani, and especially for one who hails from Sialkot, is that it is the alma mater of Allama Sir Mohammad Iqbal. Even today Heidelberg is known for its university spoiled but much less by industrialisation than other German cities. The Heidelberg Palace standing on a hilltop with river flowing by its side is a chief source of attraction. On the return journey all the way to Rotterdam our interest increased. After Cologne the ships sail through a flat plane. Düsseldorf city occupies a position of distinction among the industrial cities of Germany. In the heart of the city are beautiful flower fields. There we boarded an electric train which ran suspended in the air – a wonder in that age.

Rotterdam: At Rotterdam we stayed in the Golden Cat hotel. It was then one of the largest seaports of Europe. Now, for the third year running, it is ranked largest in the world. Ships from every port of the world bring cargo here for Belgium, France, Switzerland, West Germany and Holland Barges or steamships carry it onward.

Amsterdam: Amsterdam is still regarded as the capital of Holland though all offices and institutions have moved to The Hague. The foundations of Amsterdam rest on large wooden planks and gallies. A number of canals run through the city carrying tourists and cargo from one part to another. The Western part of Holland lies below the sea level and numerous canals criss-cross the area. Special arrangements have been made for the continuous outflow of water. Small channels carry rain water to larger canals from where, in those days, windmills carried it onward to the rivers flowing into the sea. Now it is done by electric power and large dykes hold back the sea water.

The fight of Holland against the sea is a glorious saga of its history of which the Dutch are justifiably proud. Amsterdam is a large sea port. Till 1914 it had direct access to the see. Since then a 20-mile long dam built to reclaim an area large enough to be the twelfth province of the country. Though Amsterdam has lost direct access to the sea, it has in no way reduced the activity at its port. The ocean-going vessels to reach Amsterdam have to sail through the Northern Canal which is many miles long and links Amsterdam with North Sea. In 1914 Amsterdam was Europe's largest centre for cutting and polishing diamonds. The diamond trade was largely in the hands of the Jews. This craft however is no longer associated with Amsterdam.

Holland occupies a distinguished place in the art of painting – most famous being Rembrandt. His masterpiece "The Night Watch" is exhibited in

Amsterdam museum where also displayed are the works of other famous Dutch painters. The museum of Amsterdam is most noteworthy of all places. In Holland we saw trains halting at places with no one to board or alight. Kept alongside the track were labelled containers of fresh milk. The conductor would carry the containers into the train. The standards of honesty and trust in all trading transactions in Holland were very high then as they are even now. The same cannot be said of other European countries.

The Hague: The last day of Easter holidays was reserved for a visit to The Hague. Long absence from Oxford had so saddened Mr. Yusuf Imam that he decided to go back. I spent a day exploring the city before leaving for London. Steam trains then ran in The Hague. I visited the Peace Palace that was completed under the auspices of the Carnegie Foundation only two years earlier. The expenditure was borne by Mr. Andrew Carnegie born of a poor Scotch family. As a child he walked quite a few miles to school bare-footed in winter on snow and ice. As he grew up, he left for America where he rose to be a power in industry and became a billionaire. He donated a substantial part of his wealth for peace in the world, welfare of the common man, education of the deprived children of his native Scotland and for the development of various faculties at the Scottish universities. The Carnegie Hall of New York, Carnegie Endowment for Peace and The Hague's Carnegie Foundation stand as monuments to his generosity. Once The Hague's Peace Palace was completed quite a few governments presented gifts for its decoration. Germany's Kaiser Wilhelm II sent iron railing and a magnificent gate. As the First World War began it was said as if Kaiser intended to convey: "Lo! now build an iron railing and a gate for I am preparing to launch a war".

When I went to see the Palace it wasn't even remotely in my thoughts that after 40 years I would be sitting on the bench of the World Court as a judge, will

be its Vice President after 44 years and president after 56 years. Nor could I have imagined that during that very period through the exertions of this humble servant of that illustrious man (later appointed Imam of the Ahmadiyya movement) would be one day called upon to lay the foundation stone and later inaugurate the Ahmadiyya mission at The Hague. It did not cross my mind either that having earned barrister's degree and returned home, an opportunity will arise for me even to come back to Europe.

Murder of the Archduke of Austria: I distinctly recall the summer day of 1913 when the newspapers carried the news of Archduke Francis Ferdinand and his consort's murder in Sarajevo. Half a century has gone by but the shouts of the newspaper hawker that the Archduke had been murdered still ring in my ears as if it was only a while ago. It was, indeed, a tragic event but I had no idea of the disastrous consequences that followed.

New residence: Soon after my return, Mrs. Fyson moved to a house at 15 Kingston Gardens Square. I, alongwith the other guests, shifted with her. The new house though spacious and more conveniently situated, most residents were strangers and the atmosphere unfamiliar. In the whole house only two of us were Indians – the other one being Mr. Mohammad Tufail of Hoshiarpur, a law student. Our sentiments about the war and the war effort were not the same as that of the British boarders. Being greatly indebted to Mrs. Fyson, I did not wish to part company with her toward the end of my stay in England but I needed to concentrate on my LLB examination, hence I shifted to house number 3 on Wahgan Avenue managed by two ladies, one of whom had a teenager son, and I was the only guest.

While residing at 15 Kingston Gardens Square, a German student suggested that both of us should go bathing in the Serpentine before sunrise. I was shy of

bathing in the open. He assured me that there wouldn't be many people around at that hour and there was a screen as well. Thus assured, I bought swimming trunks and went to Serpentine very early in the morning. Seeing a notice there that no one should be bathing without trunks, I imagined that it was for men only and for women there must be some other area. The British then strictly adhered to the letter of the law. Everybody while entering the water wore a bathing suit but discarded it on coming out of water and started drying up with towel while conversing with the companions. Thus, though bathing was in trunks after coming out of water the legal restriction did not apply. Seeing that my bathing came to an end but I kept up my rowing.

Syed Amir Ali's remarks: At 21 Cromwell Road the law students organised a debating society called the Moot. The first topic chosen for discussion was a judgment of Mr. Justice Amir Ali of Calcutta High Court in the case of Mohri Bibi versus Dharmodas Ghosh. His findings had been upheld in appeal. Syed Amir Ali, who by then had become a judge at the Privy Council, agreed to be a judge in the Moot. The other judge was Sir Horatio Shepherd who had retired from Madras High Court a short while earlier. Each side had two lawyers. The two senior lawyers were students who had passed the final examination but were yet to be called to the bar. The senior counsel of the "appellants" was Gujrat's Chaudhry Abdul Ghani. Assisting him was my classmate Mohammad Hassan. Representing the respondents was a Bengali gentleman. I was his junior. In the light of the Privy Council's judgment, the decision could not possibly go in favour of the respondents. The intention was to learn the art of arguing in courts.

It so happened that the senior counsels on both sides were somewhat nervous and couldn't present their case clearly. The burden of arguments on both sides, thus, fell to the lot of the junior counsels. After hearing the arguments

Syed Amir Ali announced his verdict explaining the disputed points with great clarity. His argument were a very useful lesson for us all. While announcing his verdict, he appreciated the arguments advanced by the parties. After the Moot, tea was served. Among the guest was the British – born Begum Amir Ali. While introducing me to her, Syed Amir Ali said "this young man would go a long way" and repeated it two or three times during the tea. It was natural for me to be delighted but at the same time my soul prostrated at Allah's door for it was only because of His mercy and grace that a kind thought about me arose in the mind of Syed Amir Ali. I was of little worth and the future ahead appeared full of challenges. May Allah, I silently prayed, resolve all my problems and prove Amir Ali right. My trust lay in Him alone.

On return to London from my travels in the summer vacations of 1913, I saw Sir Thomas Arnold. He said I should have gone to Moscow and Kazan as well. The university of Kazan was a Tartar centre of learning. The professor of Arabic there was his friend and I would have enjoyed meeting with him. Then and there, I made up my mind to go to Warsaw, Moscow and Kazan in the summer of 1914. The plan, however, did not materialise as the world war broke out. In a way it was a good thing to have happened. Remaining in London enabled me to prepare for the final LLB examination.

Hajj hindered by war: As my three-year stay in England drew to a close, the urge to return home also grew. But in August as England, after hesitating a bit, joined the war the resultant problems weighed heavy on my mind. The Hajj in that year was in the first three days of November and my examination was to end on the 10th of October. In June I had made up my mind to perform Hajj on the way back home. The outbreak of war put in jeopardy every travel facility and the rail journey to Marseilles became altogether impossible. Going by sea would have taken a week. For that there was no room in my travel schedule. In great

sorrow I had to put off the Hajj. Thomas Cook got the ticket back and returned the amount deducting a pound to cover their incidental expenses.

Preparation for return journey from England: Worries also arose about journey to India as the government had assumed control of all sea transport. It was possible to get a place on ships carrying post for India but only through India Office. The concerned official told me that there was room for just one passenger in second class in the ship sailing on 10th of October. Later Mohammad Hassan also found a place on that very ship.

Change in the date of a paper: The last paper of LLB final exam on "Sharia Mohammadi" was on October 10 – the day the ship was to sail in the forenoon. Both of us requested that since we were the only two students in the Sharia class the paper on the subject may be advanced by two days. He agreed. Our exam, thus, was to end on the 8th of October.

One among many war restrictions was that all payments by banks were made by cheque. The gold coins (pound and 10-shilling) were also taken out of circulation. Before that the notes issued by the Bank of England were the only legal tender and the lowest denomination note was of five pounds. As the German army started advancing towards Belgium, the Britons living there and many Belgians also started arriving in Britain. Just before our departure the Germans captured Antwerp.

LLB final exam: By the grace of God I did well in all papers – five in the pass grade and four in honours. I had no problem in answering all questions. Where the option was to answer any five out of seven, I had to think hard which five to choose. I would set the time for answering each question before writing and found it convenient to adhere to it. I noted the speed of the passing time in a

clock in the hall wishing it to slow down to enable me to write at greater length. I would first read the questions carefully and start writing only after fully comprehending their scope. I left England feeling confident that as far as it lay in my power, and with Allah's guidance, I had done my duty.

Imam's generous favours: Throughout my stay in London it was a source of enormous contentment to me that Ahmadiyya Imam and my parents prayed for my well-being. The Imam would reply to all of my letters in his own hand showing great affection. Once my dear friend Oscar Burnler mentioned to me that his nerves were always under some kind of strain hindering concentration and disturbing sleep. I conveyed his problem to the Imam. Very graciously he wrote back some suggestions which I conveyed to Oscar and later enquired about his welfare. Before going out of London I always sought Imam's permission. I still have with me the last letter he wrote to me a few days before he died. I was a raw youth of 14 in 1907 when I joined his circle. From that day onward I was a constant recipient of his affection. I had no quality to command myself. The fountain of his favours flowed for all. His personality was grand and awesome at the same time – one of its own kind:

هر که خواهد گو بیا و هر که خواهد گو برو
گیر و دار و حاجب و دربان درین درگاه نیست

Har key khwahid go beya wa har key khwahid go bero
Giro dar o hajibe wa darban darin dargah nest

[The Kingdom of God has no restriction nor a gate keeper
Anyone who wishes to come in, let him and whoever wants to leave, let him.]

Imam's generous nature: Maulana Nuruddin's elder daughter was married to Maulvi Abdul Ahad Ghaznvi of Amritsar. Maulvi Mohammad Ismail Ghaznvi was his grandson. In 1911 when I went to call on the Imam he also came over from Amritsar. He would visit him every now and then though he was not an Ahmadi. At that time he had made a request that he wished to stay with him for a length of time to acquire knowledge. He told him he could stay as long as he liked but the knowledge he sought was available aplenty in his own home. On that he wrote a note for the Imam repeating his request in a couplet which, roughly translated, read: "Be it far from your bounty that you should disappoint one who is disobedient. If I am turned away from your door, at what other door should I knock". The couplet, the Imam observed, was worthy only of Allah's glory but if he was so keen he could stay on to study any subject of his choice.

The Imam's attire and appearance, what he ate or drank was extremely austere. But he was a sea of knowledge and wisdom and a great authority on the science of medicine. Living in a place like Qadian, many a rich not connected with the Ahmadíyya movement would come seeking his advice and present to him large sums of money. He made no distinction between the rich and poor. As he appeared in public in the morning, a stream of seekers of knowledge and the needy would make their submissions orally or in writing. Imparting lessons and knowledge, medical treatment, counselling and admonition, disposal of office work all went on alongside as fee, gifts and presents piled up. From the very bag in which the fee and donations were put were also met the needs of all those who sought his help. He would come with an empty pocket and, as far as those around him could make out, left with an empty pocket.

Comparison of Islamic and non-Islamic culture: One day my friend Oscar asked me to name a living person who, in my opinion, was an ideal personality while he in his mind would have a similar person. He would then ask me what

was the conduct of my chosen person in a certain circumstance and as I answered he would try to make out who of the two stood on a higher pedestal. When I told him about the person I had chosen, he asked if someone were to come to see him on being informed, what would be his reply if he did not wish to see him. I said, first, it wouldn't be necessary to inform him for his court was open to all. If he did not wish to see the caller he would plainly tell him so. On that Oscar said he (my person) had won. I asked him how the person he had in mind on being so informed would react, he said he would say he wasn't at home. He asked me who was the person in my mind. I replied it was Maulana Nuruddin. The person in his mind was his father. My heart pined at the thought that on return home I wouldn't ever be able to set eyes on the man who was an embodiment of affection.

The prayers and affection of parents: Who can ever gauge the depth of the affection of parents – the mother's is like a sea without a shore. Living far from home in alien surroundings, it was a source of great satisfaction and assurance that my parents, day or night, bowed in prayers for my welfare. And Allah entertaining their humble supplications protected me every moment of the day in all situations. On occasions His favours made me say as if in a trance: "For Thee my Lord is my soul and my life". Walking through London's noisy streets I would loudly recite the praises of the Almighty and verses from the Holy Quran and yet not feel assured that I had thanked even a bit of the innumerable favours that He had bestowed on me. During my stay in London, I took care that there was never a pause in letters to the father. As the post by rail to Marseilles was disrupted by the war, my letter was a week late in reaching the father. That was enough to send my mother in a swoon.

On the eve of my departure from London, news went round that a German submarine named Emdon was torpedoing the ships heading for India in the

Arabian Sea sinking quite a few. The Mediterranean was also not free of danger. It then occurred to me that if I were to inform of the date of sailing my parents would keep worrying till I reached home. I wrote just this much that the examination was over, I had done well and will be soon returning. Knowing that the letter would be going with me on the ship "Arabia" I would have reached home by the time he got it.

Departure from London: After a long wait came the day of departure and the ship lifted the anchor. In the Mediterranean once or twice it appeared as if the enemy submarines had fired torpedoes at our ship but missed the target. In the Arabian Sea also there was a similar experience but the ship arrived in Bombay on the first of November. In the Red Sea as the ship neared Jeddah the feeling of remorse increased that it was not to be my good fortune to perform Hajj. The day we arrived in Bombay was the Eid day.

Back home: The same evening we went to Colaba station (then the biggest in Bombay) to catch the BBCI's newly introduced Northern Express (later known as Frontier Mail) and bought two second-class tickets. When the porter carrying our baggage approached the weighing scale he whispered to me whether he should get weight of the baggage recorded less than it actually was. I could not make out the reason why he should. He said on lower weight I would have to pay less and I could tip him. Rattled, I replied "not at all" and felt greatly hurt that the very first experience on reaching the homeland was inducement to dishonesty. I had spent three years in a country where, in those days, not even a child would think of cheating.

On arrival in Lahore. Mr. Hassan's brother-in-law who was an inspector of railway police and Dr. Ibadullah greeted us. Hiring a tanga I, headed for Govt. College's branch hostel to see Chaudhry Shamshad Ali. The next day I left for

Qadian to call on the Second Imam, some other dignitaries and left by train for Sialkot the next day.

Arrival in Sialkot: I had dispatched my large suitcase by rail earlier. When I went to retrieve it the station clerk asked me wherefrom I had come. From Lahore, I replied. Before that, he asked. From Bombay, I said. Not content even with that he pointed at the labels on my suitcase. I told him that if he was puzzled that coming from England why no one had come to receive me. The reason was that I hard not informed anyone. Hiring a tanga, I had hardly gone one-fourth of the way home when I saw my cousin Chaudhry Ghulam Nabi and my brothers Shakrulla Khan and Abdulla Khan coming in their own horse-carriage. They spotted me, warmly shook my hand and leapt back into their own carriage for they seemed keen to inform the mother about my arrival. It was customary in those days to receive the students returning from abroad at the station. On receiving my letter the father imagined that the mother would worry all the time about the hazards of my journey by sea. Assured that I had arrived, she suggested that everybody should go to Wazirabad to receive me there. There they looked for me in every train coming from Lahore. The father, meanwhile, sent invitation cards for printing for my reception. His clerk had barely returned with the printed cards from the press when I reached home while the uncle still waited for me at Wazirabad railway station.

Mirza Zafrulla Khan, scion of a landed family of Wazirabad, was then sub judge first class at Sialkot. He did not know English but was very able and intelligent. He told my father that he had learnt of Zafrulla's return. "Indeed he has" my father said, "but he had not even informed us". The judge said he imagined Zafrulla was indeed a cautious and obedient young man. He spared everybody the worry of journey in perilous times and also saved his kin and

friends the trouble of going to the station to receive him. For acting prudently the father deserved to be congratulated twice over.

Tired of checking every passenger at Wazirabad station and not finding me he enquired about the dress I wore. The same that I was wearing when leaving shirt, shalwar (baggy trousers) coat and Turkish cap. He laughed and said he had paid no attention to the passengers wearing that kind of dress and a beard in addition. He was looking for some one attired in a jacket, pantaloons and hat. Soon I left for Lahore, and got a licence within days to practice at the chief court.

First class in LL.B with honours from London University: As the result of LL.B examination was received, I rushed through the printed list but did not find my name among the successful candidates. I was both surprised and upset for in my own estimation I had done extremely well. Leave alone the honours, my name did not figure even in the list of just passed. Resigning to the fact that, whatever the reason, I had not passed, I went through the list once again to see how my class fellows especially Mohammad Hassan had fared. The very first name was "Khan". Wondering who this Khan could be for there was none of that name in our class, I looked at the full name written as Khan, Zafrulla. Startled, I realised it was my name. Thus, while I had assumed that I had not even passed, It was Allah's immense favour to this humble man that I got not only first class in honours but topped the list in the university. It was the first such occasion (many more were to follow in Allah Almighty's infinite grace). Then a cry arose

سجدت لک روحی و جنانی

Sajjadt laka roohi wa janani

My soul and heart lie at Thy feet

And has been arising ever since time and again.

Journey to Data Zaidka to see the mother's family: My maternal uncle's village Data Zaidka was just 22 miles from Sialkot but the journey was tough. There was a dirt road up to Pasroor. From there a *yakka* (flat platform horse-carriage) would leave and stop half way to bathe the horse and give the passengers a respite. Getting on to a *yakka* was troublesome and riding it was tortuous. It was said that riding a *yakka* is extremely painful for the passengers but easier on the horse. By the time I came back from London the road from Sialkot to Pasroor had been metalled. Earlier from Pasroor to Data Zaidka there was a road for the first three miles but beyond that only dirt path. Even *yakka* did not ply. So, a horse was hired at Pasroor itself. A distance of 20 or so miles took better part of the day – 12 miles strung in a *yakka* and another 10 on horse's back. For a person who had lived for three years in a country where every travel amenity was available, it was indeed an adventure.

Chaudhry Bashir Ahmad: Chaudhry Bashir Ahmad then was a 14 years old school student. For his 14 years he possessed unusual common sense and intelligence. My mother was very fond of his father. He had lived in our home in Daska when he came from his village for education. My mother then made him her bother. The two families, already close, thus came closer still. I was very happy to see him as the death of her mother had created in me a deep sense of sympathy for him. A year after my departure for England his father also died. He was thus compelled to leave Qadian and join school at Pasroor. On the way to Data Zaidka I stopped to see him. The cheer and shine of his eyes had faded away. I then vowed to do whatever was possible to dispel the gloom of his life.

On January 16, 1916 Narowal railway station was inaugurated facilitating travel between Pasroor and Sialkot. In Western countries, linking of a rural area with the rest of world by train was considered an event calling for a school holiday and the school managements would arrange for the children to travel some distance by train to celebrate the occasion. But here the reaction was to the contrary. I wrote to Bashir Ahmad that he must come to Sialkot by the inaugural train and I would receive him at the station. But the school management had barred students from riding the train to Pasroor. Those who dared to violate were to be punished. On return, he wrote to me, he had to suffer the punishment.

First experience of appearing in court: By December 1914 I had got the licence to practice law. A few days before Christmas holidays, my father, feeling unwell, asked me to note my name for attendance in his behalf in the case of Sheikh Hussain Buksh. Sheikh Zahur Elahi was also a pleader with him. The case, he thought, was unlikely to proceed as the senior sub-judge had given time for mutual settlement which didn't happen therefore another a date would be fixed. Going through the case papers I felt that our client need not seek a settlement outside the court.

Sheikh Hussain Buksh owned and ran a shop in Sialkot's main bazaar. The roof of his shop was in line with roofs of other shops. Alongside the roofs ran a lane on which opened the entrance doors to a few houses. To the residents, the roofs of the shops appeared like a courtyard of the houses. The residents were all Hindus. One day people in large numbers gathered on the roof tops. To that Sheikh Sahib took exception. The residents of the houses contended that they had the right of easement and could assemble on the roof of shops on festive or sad occasions. They contended that the owners of the shops not only could not stop them from exercising this right but were obliged to keep the roofs in good shape and, further, raise no construction of any kind. Sheikh Sahib refused to

concede that claim. Resultantly, the residents of the street filed a suit for declaration of title and to restrain the respondent from assembling there and, further, not to raise any structure on the roof.

It was contended that the very right of easement was uncertain and inadmissible in law, not enforceable nor supported by usage. The evidence of the plaintiffs was weak and contradictory. In this situation it wasn't at all advisable for Sheikh Hussain Buksh to seek a compromise. I had known Sheikh Zahur Elahi since my student days. He was elder brother of Sheikh Ferozuddin Murad. His nephew Sheikh Enaytullah was my classmate in Sialkot District Board School. In the court premises I explained my viewpoint to Chaudhry Zahur Elahi that our case was very strong, the plaintiffs stood no chance of success, hence we should not agree to any settlement. I asked him as to who had put forth the suggestion for a settlement. The senior sub-judge, he said, belonged to Sialkot and wished that the right of the plaintiffs, to the extent possible, may be accepted. I suggested we must not give in.

Sardar Charrat Singh: The senior judge in question was Sardar Charrat Singh. He was to retire in a few months. When the parties appeared before him with their lawyers, the judge enquired whether they had found a way to settle the dispute. The lawyer of the plaintiff submitted that the respondents were prepared to concede nothing at all. The judge then addressing Sheikh Zahur Elahi said: "You know that I belong to this town and have sympathy for both parties, hence I wish that the litigation must not prolong. But if there is no way to settlement by consent, I shall have to dismiss the plaint. There will be an appeal and things will aggravate to open a door to more disputes and thus get caught in a round of litigation and destroy themselves. It would be better if same way was found to settle it".

I wondered all along how simple and gullible was the judge. On every sentence uttered by Sheikh Zahur Elahi the judge would say "you are right but you are like a mother and father to the plaintiffs". His constant refrain was that he had no doubt about our sympathy. Finally, the judge fixing the next day said "if no compromise is reached in the intervening period I would hear the arguments of the parties".

That was my first experience of watching proceedings in district courts. It haunted me for a long time. For 20 months I practiced at Sialkot district courts under the guidance of my father but the imprint of the first day was never erased from my mind and I just could not bring myself round to keep practicing in the district courts.

Start of practice at Sialkot: In January 1915 I started working guided by my father. His work was chiefly of civil nature and he was known for expertise in handling land disputes and stood foremost among the civil lawyers. Some time he would take up criminal cases but it weighed heavy on him for he had an overwhelming sense of responsibility.

In land disputes the facility is that details relating to agricultural land are well documented in the revenue record. The description and title of every bit of land is found in those papers. Oral evidence is no more than a formality. Nevertheless, knowledge and experience are required to ascertain the disputed facts from the records of settlement and ownership. That I learnt from him. The agriculture land disputes under section 5 of the Punjab Laws Act are decided in the light of usage. I could get acquainted with the principles and rules of the usage and bring my knowledge up to date by keeping an eye on the judgments of the Chief Court. Dealing with the land cases, one feels assured that the client would not suffer because of neglect or indifference. If the judge goes wrong the

mistake can be corrected in appeal. If at all the client has to bear the burden it would be financial. His life, honour or freedom are not at stake. All these factors are threatened in criminal cases as the decision is based largely on prosecution's oral evidence. In that the elements of enmity, stubbornness and groupings count a great deal. For a man of father's sensitive nature, such responsibility weighed heavy. In the course of criminal cases sometimes he found it difficult to go to sleep.

Work partnership with the father: To work with him the father put some restrictions on me. Our work and income were to be pooled. It was my responsibility to keep the account of income and keep it punctiliously. No limit was fixed on expenses. It was left to my discretion. In that connection he told me that my stay in England had imposed no extra burden on him. Such was God's bounty that his income kept increasing in proportion to the expense of my travel to England and stay there. We were not to appear from opposite sides in a case. Father and son should not ever be placed in such a situation. Lawyer Pundit Beli Ram and his son barrister Charanjit Roy would take up cases against each other which he loathed. I were to see the papers of every case and accompany him to the court, whenever I so wished, to add to my knowledge. If ever I wanted to take up a case on my own I could without hesitation. In civil suits having prepared a plaint, or reply to it, I was expected to show it to him. Barristers usually avoid drafting documents, he would say, but it was an essential part of law practice. Often the decision comes to rest on the contents of the plaint or reply to it. So it needed extraordinary care. Where a part of the case related mostly to English language that were to be transferred to me. I was to be associated with him in the original institution but he was to transfer the appellate work to me as it was easier to argue appeals in English. Being in the legal profession, the father was quiet by nature, spoke less, slowly and stated his purpose briefly. Sometimes he took so long in answering a question that a man

of my hurried nature got restive. During the pleadings when a counsel asked a question, or judge sought a clarification, he would answer the point, howsoever obvious, thoughtfully, never in haste. His example and advice lit my path but differences in our attitudes persisted. I could not change my habit of talking fast and hurried. Later, when I started working in the chief court the judges would some time tell me to speak slowly for it was difficult for them to keep pace. It was not my wont to prolong my argument in courts but later in the United Nations I felt compelled to speak long on some issues. My long speeches must, surely, have irked my colleagues but they always listened to me attentively.

Mr. H.A. Rose and Mr. Barker, district and sessions judges: When I started practice at Sialkot, Mr. H.A. Rose was district and sessions judge. He was impatient, somewhat unpleasant and stubborn. These attributes hindered his judicial duties. He was soon transferred. His successor Mr. Barker was of gentle disposition and proceeded cautiously. I had appeared before him twice when he came across my father and told him "Zafrulla works extremely hard and while arguing puts across his viewpoint clearly". Mr. Barker's comments seem to have pleased the father.

Mr. Abbott ICS, deputy commissioner: Mr. E.R. Abbott was deputy commissioner of Sialkot. He was stern in talking but gentle by nature. The first world war was on. Great stress was laid on war fund and recruitment in the armed forces. Hardship was often alleged in pursuing these objectives but Mr. Abbott did not let such complaints arise in Sialkot district. A meeting was held at Pasroor to raise loan for the war over which Mr. Abbott presided. After his speech Mr. Saudh, Zaildar (area chief) of Baddomalhi village offered ten thousand rupees. Mr. Abbott sternly told him to sit down observing that he could not pay back his own loan but was offering money to the government.

Syed Mir Hamid Shah: Syed Mir Hamid Shah was superintendent of the deputy commissioner's Persian office. Mr. Abbott greatly respected him. Once when I happened to be in the deputy commissioner's court, he read out a report about the auction proceeds of the mango trees in the court compound for Mr. Abbott's approval. Mr. Abbott said somewhat testily: "Hamid Shah, does the government pay me two and a half thousand rupees a month just to hear reports of a few rupees for approval". Shah Sahib spoke back even louder: "I am not concerned about it, the rules require your approval and the rules are made with your approval, please put your signatures here". Mr. Abbott signed instantly and turning to me said "Shah Sahib got angry".

At the end of the financial year, Tehsildar acting as income tax officer assessed tax on my father's income. Ignoring the explanation that I worked with the father and had no separate income of my own, he wanted to assess tax on my income. The father advised me to file an objection with the deputy commissioner otherwise next year the demand would grow and my objection that I had no separate income would not be admissible. I put in a petition before the deputy commissioner and explained to him verbally that I worked with my father, had no separate income and our joint income had been assessed. Mr. Abbott made a brief note and handed the petition over to his reader. I asked him what was the order. He told me he had called a report from the Tehsildar. I said what the Tehsildar had to report. It is a question of fact. It is a fact in my knowledge and I have said that I had no independent income. "You either believe me or you don't, if you do accept the petition if you don't reject it". A smiling Abbott took the petition back from the reader and noted "approved". I thanked him and left. (Till that time income tax department was not created, the revenue officials – tehsildar and his assistant – did the job) Mr. Abbott later became commissioner and then Financial Commissioner. After retirement he lived in a house near

Oxford named Old Wife's Rage. In 1927 when I went to England he invited me to his house and treated me with great courtesy.

In 1935 when I was commerce minister in India's central government, while passing by the offices of the Punjab government in Shimla, I saw the name plate of Mr. Abbott on a door. I had heard that a son of E.R. Abbott had joined the Indian Civil Service and was posted in Punjab. I lifted the cane-curtain entered the room and greeted him. He was puzzled who I was to have barged into his room without previous information: I enquired about the welfare of his parents and mentioned that I had seen them at the Old Wife's Rage. That puzzled him even more and asked me to tell him who I was. As I told him my name, he instantly stood up and apologised that since we had not met before he did not recognise me. I said in fact I should be apologising for entering his room without permission. He later got married to the daughter of Sir Atonimyar, a well known finance expert. After resigning from civil service he tried for some time to enter London's financial circles. For the last few years he is bursar of Trinity Hall, Cambridge.

Rai Bahadur Keshudas, mgistrate: The magistrate with section 30 powers at Sialkot then was Rai Bahadur Keshudas, a well-dressed, cultured man of dignified appearance. He worked with care and concentration. He was fastidious about cleanliness and his horse-carriage and furnishings were all meticulously kept. He had an elegant one-horse carriage which he would himself drive. He had two horses harnessed in turn.

Sheikh Abdur Rehman, magistrate: Sheikh Abdur Rehman (younger brother of Sheikh Rehmatullah, proprietor of English warehouse, Lahore) was magistrate and civil judge first class exercising both criminal and civil powers.

He was a very courteous man of humble disposition. In conversation he seem to subscribe to Sheikh Saadi's

فاش می گویم واز گفتہ خود دل شادم

Fash mi goyen wa az gufta khud dil shadam

[I speak the truth and feel happy about it]

How attended to his work with extreme care, diligence and honesty, wrote well and neatly.

Mir Ibadullah, Senior sub-judge: Sardar Charrat Singh, senior sub-judge, was nearing retirement. Mir Ibadullah succeeded him. Like his predecessor he was a noble and humble man. His eldest son Mir Maqbul Mahmud was a promising and able youth. He became secretary of the Chamber of Princes before independence. In Pakistan he would surely have made great strides but his life was cut short in a tragic air crash. Sardar Sir Sikandar Hayat was son-in-law of Mir Ibadullah. Sardar Shaukat Hayat Khan is his grandson from the mother's side and son-in law of his maternal uncle Mir Maqbul Mahmud.

Dewan Sita Ram Munsif: Dewan Sita Ram was Munsif (junior judge) in Sialkot. Able and alert in performing his duties, he was scrupulously impartial. He rose to be a senior sub-judge and, I imagine, later also became district and sessions judge. He was austere in his attire and appearance but seasoned and intelligent at work.

From the area of our village emanated a branch of Upper Chenab canal which is now known as Bambanwalla – Ravi – Bedian Link. Over it a siphon was built under which the canal flowed and in rainy season passed over it. Since the diameter of the siphon was somewhat smaller than needed, the flow of water was hampered in rains damaging crops in the vicinity. That area was owned by my father. When the first flooding occurred, the father gave notice to the concerned department to make the diameter bigger and compensation paid to him for the loss. The department promised remedial action but did nothing. The next year when a similar situation arose again a notice was issued and compensation demanded without a result. When it happened in the third year, the father gave a notice under section 80 of the Civil Code and filed a civil suit for damages which went before Dewan Sita Ram. From the government side many objections were raised but after full enquiry Dewan Sita Ram decreed the suit.

Mistri Jhandda relieved of anxiety: Mistri Jhandda had a furniture shop in Sialkot cantonment. He himself was an artisan of high order and employed quite a few others. The British officers greatly valued the articles crafted by him. A serious-minded gentleman, he lived in Tibba Memaran (artisans village) where a clever and hot-tempered man bore a grudge to him for no reason and troubled him a great deal. He also filed a baseless suit against him. Chaudhry Mohammad Amin was the lawyer for the plaintiff. Mistri Jhandda appointed my father to defend him who in turn asked me to take it up. After hearing the plaintiff the magistrate dismissed the plaint but that did not change his attitude and he kept troubling the Mistri. The Mistri consulted me as to how to prevent him from mischief. I advised him to file a civil suit against him for compensation to teach him a lesson for filing a false complaint with evil intent. The Mistri said he did not know the niceties of the law but would readily go by my advice. With his permission and on his instructions, I filed a suit for damages.

The respondent again chose Chaudhry Mohammad Amin to defend him who was a friend of my father and also distantly related to me. He was highly respected for more than one reason. In the court he and my father had their offices in the same room. Outside the court hours most of my time was spent in his company. When I was appointed counsel in the Mistri's case, he asked me whether I was serious in filing the suit or only intended to irk the respondent. I told him it was in total seriousness to forestall his client's mischief as he was a habitual troublemaker. He said such plaints are not even heard and dismissed as a matter of course. If damage suits were to be filed against plaintiffs it would be reduced to a joke. If a false suit filed with evil intent is dismissed, the respondent is surely entitled to compensation, I replied. It was a different matter if the rule here was not to file such suits. Success of such suits can prevent filing of false complaints. "Let us wait and see", he replied. In reply to the plaint, besides the objections related to the situation, it was contended that the suit was not admissible. This suit was assigned to the court of Diwan Sita Ram and was decreed in favour of the plaintiff. I did not claim a large compensation for the intention was only to restrain the respondent from persisting in his mischief. Mistri Jhandda's apprehension was that after his complaint is dismissed he would file yet another false one. Our intention was to bring it home to him that such actions can attract mischief of the law. Diwan Sita Ram slightly reduced the amount of damages claimed and decreed the rest. The respondent filed an appeal which was heard and dismissed by Mr. Barker. Made to pay the compensation amount, expenses of the hearing in the two courts and, further, the humiliation he suffered in his community stopped him from troubling the Mistri any more. An affable gentleman was thus spared a recurring anxiety.

An old man of Sadat family belonging to Alomahar village of Sialkot district who did not have a male issue adopted his maternal grandson as his heir. He had no near consanguine relative. After his death some of his distant

consanguine relatives filed a suit alleging that the deceased was not bound by usage but by Sharia under which adoption of heir was not permissible. They were therefore rightful heirs to his property. In the original court Chaudhry Mohammad Amin was pleader for the plaintiff and my father for the respondents. The court ruled that although the deceased was Syed by caste his family for generations had settled in Alomahar where the agriculturists, in matters of inheritance and the like matters, had always gone by the usage and so had the deceased, hence he was entitled to adopt his grandson as heir. The plaintiffs appealed against this order which was heard by Mr. Barker. The father asked me to pursue it. While preparing the case it occurred to me that in the situation of this case even under the Sharia a large part of the deceased's inheritance would go to the respondent grandson. I worked out shares under the Sharia to establish that the plaintiff's share in the property of the deceased was insignificant and the rest would go to the grandson or his near relatives who supported his heirship.

To reach this conclusion I had to go through a tedious arithmetical calculation which I noted down in full detail when hearing of the appeal began. Chaudhry Mohammad Amin had set out his arguments that the deceased was bound by the sharia and not usage. I was prepared to concede that whatever property fell to the share of the distant relatives under the Sharia should be given to them. Chaudhry Amin was taken aback a bit thinking that I had agreed to his viewpoint without an argument. Mr. Barker then asked him to tell him how much was the share of his clients. Since Chaudhry Sahib had not done the calculation, he found it difficult to respond. Mr. Barker asked me whether I had solved this tangle. On my reply in the affirmative he asked me to read it out to him. So I started dictating to him while Chaudhry Sahib kept verifying. When the narration of share chart was nearing its end Mr. Barker said he found it incredible that the share of the plaintiffs was so small.

Aversion to litigation: In conceding the rule of Sharia my intention was to put an end to the litigation to pave way to an amicable settlement. Though by profession I am a lawyer but I hate litigation. Quite some time ago, when I was still practicing, I spoke in a meeting on the reformation of the society. In that talk I also mentioned how in our country the rural folk are afflicted by the desease of litigation – and we should shun it as far as possible. At the end of the speech some young lawyers surrounded me protesting that if the people were to follow my advice their business would come to an end. I said the real Sustainer is Allah, I practice law as you do but would be very happy if unnecessary litigation was to come to an end – no matter my practice continues or ends. If the legal practice ceases, Allah Almighty in his grace will surely open other avenues. "Tell me", I said, "should a doctor desire that diseases increase or lessen in the country"?

Some eminent lawyers of Sialkot during my practice there: Among the civil lawyers Diwan Beli Ram was in the forefront. A few years before I went to England his son Charanjit Roy had returned with a barrister's degree to start practice at Sialkot. His work grew but on criminal, side. He had built a magnificent mansion in the outskirts of the city. He had a long life. Perhaps, he practiced for more than 65 years.

Sardar Sant Singh's practice was only on the civil side. He was by nature a noble man of a few words who minded his own business staying away from humbug. He worked hard and had a vast reservoir of books of law. Lala Anant Ram followed in his footship. He developed his practice through sheer hard work and concentration. His father was a peon in the court and did not give up that job even after his son started the practice – a shining example of self respect. Neither the son minded his father's insistence on earning his own living to his

embarrassment nor the father felt that he should give up his job lest his son being a successful lawyer feels embarrassed.

By the time I started practice Diwan Charan Das had accumulated huge wealth. At the Railway Square he had a magnificent bungalow and a vast orchard. He was an aristocrat by temperament and such was also his approach to practice. He was a contented man of cheerful disposition and very hospitable.

Khan Bahadur Chaudhry Sultan Mohammad Khan Bar at Law had seen the ups and downs of life and once was the Mir Munshi (chief reader) in the Kingdom of Afghanistan. He imparted life to any function he attended. Since he had seen the world he had an endless reservoir of personal experiences and the events he witnessed. When I started practice he told me to "learn law from your father and from me how to put it across". He was very good at repartee. Teasing was common in the bar room but anyone who ventured to tease "Haji Chaudhry" had to beat a hasty retreat. The country's famous poet Faiz Ahmad Faiz is a monument to his memory.

Chaudhry Sardar Khan was dignified, serious minded, devotional in prayers and an orthodox gentleman of tradition. He was a close friend of my father and the families were on visiting terms. He was greatly upset when my father started showing interest in the Ahmadiyya movement and was enormously grieved when he joined it. In the courts coming across Chaudhry Sardar Khan, if my father greeted him with *Assalama Alaikum*, he replied *WaaliakumSalam in Kuntum Muslieman* (if you are a Muslim). The father told the people to bear witness that Chaudhry Sardar by casting doubt on his being a Muslim had, in fact, absolved him. Both could, however, revert to the usual way of the father being the first to greet if Chaudhry so desired. His house was at the corner of the street leading to the Ahmadiyya mosque. I had to pass in front of his house frequently when at

school. I asked my father whether I should be the first to greet him as I always did. He said he was my elder and I must greet him first, no matter he returns the greeting or not.

Some years senior to me was Sheikh Nawab Din Murad bar-at-law. He took interest in the profession and worked hard. He had a cheerful disposition and hoped to go a long way but had practiced law only for a few years when he died.

My indifference to practice at lower courts: Practicing at Sialkot was of enormous advantage to me in having a father who was affectionate, sympathetic and an experienced tutor. Office, library, house and conveyance were all available. Further, such was the lot of magistrates and judges that I could have no complaint against them. Throughout the district I had connections of family and clan. The work my father entrusted to was interesting and I did it with commitment. Besides the law practice, I took special interest in the affairs of Ahmadiyya community. I was made its account – keeper at Sialkot. The elders of the community for me were a beacon of light. I had no pursuit or interest or the things I coveted which could not be had in Sialkot. The affection and indulgence of the parents was a priceless gift that was doubly heightened during my three-year stay in England. Parting company with them was hard for me. Despite all facilities, comfort and attractions, I could not get to like practicing in lower courts. I had no knowledge or experience of practice at the chief court nor was aware of the requirements, had no access to them nor made any effort to find out. Some time the thought of leaving Sialkot for an unfamiliar environment also made me nervous.

Journey to Dharmsala: In the summer of 1915 the father of Chaudhry Hakim Din and Dr. Lal Din who was a very devoted, pious and hospitable old man was Gurkha Regimment's tailor master at Dharmsala. Dr. Lal Din invited

me there during the September vacations. The train for Pathankot left Lahore at 9 pm. In the second class were only two passengers. The other was an old man wearing coloured glasses even at night-time. His name and designation written on the trunk was: Venerable Archdeacon Ehsanul Haq. From that I could make out that he was a senior priest of the church. He was already in the compartment before I came in 20 minutes before the departure time. In this period the ice and soda man came twice to serve lemonade and ice to the archdeacon. Later, I learnt that he had asked to be so served at short intervals. He turned up at Mughalpura and again at Attari, Amritsar, Batala, Gurduspur and Dina Nagar stations. Finally, when he came with ice and soda at Pathankot the archdeacon paid him off.

The train reached Pathankot at 3 am. I cannot say whether in those six hours the archdeacon had a wink but since I easily fall off to sleep, the waiter's cry of "lemonade, sir" woke me up every time. I wondered whether the venerable archdeacon had an oven burning in his pious stomach which made him perpetually thirsty. A tanga (one-horse carriage) was waiting for him at Pathankot station and postal bags were being loaded in it. I gathered that the archdeacon was also going to board that very tanga. My seat was in front alongside the driver and his was in the rear which was easier for him to board considering his age and bulk. The driver was a Sikh. Once we were out of the town and set on the road to Palampur it was day-break and the driver entered into conversation with me. He had been driving tanga in Simla, Rawalpindi, Murree, Srinagar. In the course of conversation he gathered that I hailed from Sialkot. The name of Chaudhry Jalal Din came up who then was superintendent of post offices. I told him he was my cousin. He said he was a pious and noble man who treated everyone with courtesy.

Driver's harsh talk and grumbles: The journey by tanga in hilly tracts used to be very enjoyable. Tangas were strongly built with room enough for three passengers, their baggage and postal bags as well. Tanga was pulled by two horses. In the planes horses were changed every six miles and in the hilly tract every three miles, galloping all the way. Approaching a post as the driver sounded the bugle two syces would emerge with a pair of accoutered horses to relieve the horses in yoke. The driver would sound the bugle again, whip the horse on the right to get into a gallop. The change of horses took no more than half a minute. Every 10 or so miles at a rest house the tanga would halt for four to five minutes for the passengers to walk a while or to take tea. The horses were looked after well. If ever a horse became restive the driver would quickly rein him in. In doing that every driver would act according to his own temperament. Some were quick and abusive. Our driver was a bit hot tempered. Invective and curses issued forth from his mouth as sparks would from a flame. I imagined that his manner of speech would upset the archdeacon.

At a post after the changing of horses, the horse on the right came down to mischief. As the driver repeatedly whipped and abused, the horse kicked with both his legs lifted. The abuses and whips of the driver flowed freely only to increase and not lessen the mischief of the horse. As whips landed on the back of horse in quick succession, the horse raised his hinde legs so high that the left leg instead of landing on the ground got stuck in the middle wooden plank of carriage. With only three legs on the ground, the driver had no option but to stop, get down and struggle to free the entangled leg. No syce was around to help him. If the leg of the horse got injured he would have been blamed. Getting down to free the leg further hurt his ego. His temper rose higher still and so also was the flow of abuses in variety and viciousness. The mischief of the horse did not reduce the speed of the tanga but surely upset its balance.

The archdeacon could not have seen the drama in front from his back seat but the harsh language and bumps seemed to have rattled him. And when the driver's invective for the horse and the equine fraternity exceeded all limits, the archdeacon spoke in a very serious and dignified: "O brother, the horse is after all an animal what do you stand to gain by dirtying your tongue by hurling abuses and, at the same time, dirtying the ears of the gentlemen around"? By then the driver had come back to occupy his seat after freeing the leg of the horse. He sounded the bugle and the tanga resumed its normal speed. As the horse was tamed and the driver's temper also returned to normal, he asked me "who is the fellow sitting behind"? I told him he was a padre. "What is his name" he asked me. Ehsanul Haq, I said. "Is he a Christian", he asked. I said "indeed he is and a senior official of the church". The driver grumbled: "Look at him, name is Ehsanul Haq but he is a Christian, considers himself so well-mannered that my abuses dirty his ears, the name is Ehsanul Haq but he is a Christian – what kind of good man is he?" I was worried lest the archdeacon hear him grumble but didn't perhaps because of the noise of the running tanga. The driver, alternately, fell silent and talked but time and again grumbled: "Look at him, name is Ehsanul Haq but he is a Christian – what a pious man".

By 9 o' clock we reached Shahpur. From there a road leads straight to Palampur and another, to the left, to Dharmsala. Our tanga was heading for Palampur and another was all set to leave for Dharmsala. I changed to the tanga for Dharamsala which after a quick breakfast left for Dharamsala. The archdeacon too had breakfast and continued his journey for Palampur in the old tanga. I kept worrying for him not because of the driver's grumble which was of little consequence but his one particular act made me apprehensive lest he might cause harm to the venerable padre on the way to Palampur. At one point water from a spring flowing alongside the road was gathering in a reservoir on the edge of the road. The water was cold and refreshing. The driver stopped the tanga

and told the padre to drink the water if he so wished. The padre came down and drank heartily. Returning, he was yet to board when the driver got it going. I was quite upset and tried to tell him that he should not have been treating a respectable man in the manner he had done. He stopped. That he would have after a while for it couldn't be his intention to leave the Archdeacon stranded on the roadside. But even for a joke it was in bad taste. After that he grumbled less. Perhaps, a practical expression of resentment had chastened him and he was also a bit repentant.

At lower Dharmsala, Chaudhry Hakim Din, Mian Hakimuddin and Dr. Lal Din received me. In those days lower Dharmsala had a small population and some government offices as well but upper Dharmsala was no more than a hamlet. At lower Dharmsala, Khan Sahib Allah Buksh had built a dainty bungalow. He was a pensioner of forest department and had settled there after retirement. He was a very courteous and hospitable man. In upper Dharmsala Mian Lal Din's father, Master Muhammad Din, lived in the regimental barracks but for us he had rented a house in the village. He would eat and spend time with us every evening. Dharmsala is situated at a height of 9000 feet above sea level. The mountain range to its west is perpetually covered with snow. Glaciers begin 4000 feet above Dharmsala.

Behind the village flowed a stream of clear, ice-cold water. Where we bathed when it was not too cold. It wasn't possible to stay in water for more than a few seconds. After a while we would bask in the sun sitting in the rocks bin the middle of the stream. Sometimes we played ludo. When dice fell in the water Chaudhry Hakim Din would instantly direct Lal Din to jump to retrieve it. Lal Din some times showed annoyance on being told to jump into freezing water but, being the younger brother, he could see where the dice rested. Four weeks were full of pleasure but the night exacted a price in the shape of fresh blood to the

denizens of the hinges of the wooden frame of the bedstead. Lal Din would sprinkle the Keating's powder, dry tobacco leaf or whatever else was suggested. Boiling hot water was also poured but we couldn't get rid of the pest. Toward the end of September we returned to Lahore.

Participation in Qadian's annual gathering of 1915: In December 1915 I went to Qadian's annual gathering called *Jalsa Salana*. The profound understanding, knowledge of the Holy Quran, rationality of belief, breadth of vision and depth of thought of the Second Imam was astonishing. I returned from the meeting convinced that the leadership of the community, its welfare programmes and the rights of the Muslims world-wide were all safe in his hands.

As Assistant editor of Indian Cases: As the first year of my law practice came to an end in 1915, I had no reason to be dissatisfied but shaping my life in that mould wasn't at all satisfactory. I had no other plan, though I distinctly felt the need for a change but the alternative was not clear in my mind. My father had studied in a vernacular school and passed his pleader's examinations in Urdu. In course of time he got a smattering of English language but was not confident of his pronunciation. He therefore spared himself the exertion of speaking in English. However, once he started the practice he could not long avoid it. To meet the challenge he started subscribing to the English version of the Punjab Record in which were published the views of the chief court and its judgments that were appealed in the Privy Council.

When Chaudhry Shahabuddin, going a step ahead of "Criminal Law Journal", started publishing the "Indian Cases", the father subscribed to it. In the Indian cases were published the civil and criminal judgments of superior courts of India as also of the Privy Council related to India. Six large volumes of Indian Cases were published every year. It was the only journal of its kind in India

consistently maintaining high standards. Chaudhry Shahabuddin himself was the editor and besides the editing staff, a lawyer was its reporter in London. After compiling the selected cases of the courts in their areas and adding their own head notes, the staff would send them to the office of the Indian Cases. The reporter for the Punjab Chief Court (later, Lahore High Court) was Khalifa Shujauddin.

Correspondence with Chaudhry Shahabuddin: The July 1916 issue of the Indian Cases on its cover carried an announcement by the editor looking for a lawyer to assist him in editing the Indian Cases. It occurred to me then that this might be the way to extricate myself from the dissatisfaction of practicing in lower courts. Chaudhry Shahabuddin was a friend of my father and also knew me a bit. I wrote to him that I had no experience of editing, still he may consider whether I could measure up to it. And if he felt I did, whether he would advise me to give up law practice to take up the assignment.

In his usual abundant affection, Chaudhry Sahib soon replied saying that though the work needed ability, special skill and expertise his guess was that I would not take long to learn it and do well. To master it would take a year. To advise whether I should give up practice to take it up, he said, was not easy. If practice succeeds, the field is vast and opens many more vistas for an able lawyer. But practice has its ups and downs. If, by nature I liked the editing work, it would assure me a regular but moderate income, I should think it over, deliberate and decide for myself. Chaudhry Sahib also indicated the salary and annual increment.

On getting Chaudhry Sahib's reply, I sought my father's advice. His advice was that taking my natural inclinations into account, I should decide for myself but, in his opinion, the starting salary and maximum of the scale both

wereinadequate. From the father's reply I guessed that he would have no objection if the salary were to be higher.

I wrote back to Chaudhry Shahabuddin thanking him for his advice adding that I was inclined to take up the job but would wish some change in the salary structure and also know more about the nature of the work and responsibilities of the assistant editor. Chaudhry Sahib who was then in Dalhousie replied that my suggestion on salary was acceptable and details could be settled when he would be in Lahore for some days from 22nd August onward. On getting his reply I went into meditation (*Istikhara*) and, finding contentment, went to Lahore to see him.

Meeting with Chaudhry Shahabuddin: The office of the Indian Cases and residence of Chaudhry Shahabuddin were situated in Bazaar Judge Muhammad Latif in a two-storeyed building. The two rooms on theground floor were used as office and press. He himself worked in the verandah of the upper storey. He briefly explained to me my duties. In 20 months of practice I had got acquainted with the Indian Law Report, Punjab Record, Indian Cases, etc. Each month an issue of Punjab Record was received in the evening I would read out to the father the opinions published in it. Thus I got to know somewhat the niceties and intricacies of legal issues. The editing part of the work did not seem to pose much difficulty but to supervise printing, to read proofs and correct the manuscripts were new to me. Having explained the nature of my work. Chaudhry Sahib instructed his office to remove the head-notes of the reporter on 16 judgments of the Punjab Chief Court received that day and handed over to me for writing head-notes of as many cases as possible on that very day for him to peruse in the evening and tell me what he had to say the following day. That was the way to learn, he said.

My guess was that discussion with Chaudhry Sahib on that day would be only on general principles and if he was satisfied I would start work toward the end of September. Chaudhry Sahib, however, instantly created a practical situation to evaluate me. My plan was that after spending a day in Lahore, I would talk to him at length the following day and leave for Dharmsala in the evening to spend the whole of September.

Starting work in office: I took the copies of the judgments to the adjoining room where a table, paper, pen, etc were provided. I beseeched the Almighty for his special favour to understand the work and make it easy for me. I went through some judgments to assess whether the work was simple or tedious for me. I knew before hand that the judgments of the chief court were relatively simple and easy to comprehend as the judges do not get entangled in niceties. But, at the same time, Chaudhry Sahib had observed that preparing head-notes was a skill that is honed over a long period of time. Having read three or four judgments, I felt that preparing head-notes would not be difficult at all. Thus encouraged and invoking the blessings of God, I got down to write with full concentration. I had written but two or three notes when Chaudhry Sahib called me over to lunch. He asked me whether I would be putting up with him though I had no mind to stay in Lahore. In 1907 when I had come to Lahore for admission in Government College I had stayed with him as also on two or three later occasions. Now that I had to stay in Lahore for a day it occurred to me that since I had to work with Chaudhry Sahib, I shouldn't be his guest. So I submitted, if he allowed, I could easily make some other arrangement.

He again suggested that I should stay with him as it would be convenient but I regretted. After lunch I returned to my room and got down to work in earnest. Barring prayers, I paid attention to nothing else. By 4 O'clock I had prepared head-notes for all the 16 cases. By then, Chaudhry Sahib had gone. I placed all

the papers on his table wondering that having declined Chaudhry Sahib's invitation to stay with him where would I spend the night. After a good deal of thinking it occurred to me that I could stay for a day with Syed Hamid, elder son of Maulana Syed Mumtaz Ali, editor *Tehzib-e-Niswan* to whom I was introduced by Syed Afzal Ali and Syed Inamullah Shah in his house on Railway Road. Carrying my small bag I went to Syed Hamid Alis's house. He cheerfully greeted me and instantly arranged a room for my stay observing that treating it as my own house I should stand on no formality and stay as long as I wished. Though my stay was thus arranged, the evening and the approaching might weighed heavy on me. I had to remind myself time and again that difficulties were a ladder to success. I should be ready to face them and not lose heart. The only assurance was that I had not at all found difficult the work that was given to me. I tried to console myself with the thought that being lonely and sad was a passing phenomenon. Entrusting all my anxieties and difficulties to the care of Almighty Allah and most humbly beseeching his help and blessing, I went to sleep.

Second day in office: The next morning I went walking two miles to Chaudhry Shahabuddin's office. By then he had gone over my work and found it much better than his expectation. Very soon, he said, I should be able to master the details. He said he had given 16 judgments to me for making head-notes. In 12 he found no room for correction, in four he had made minor corrections which I should note. Whatever work I do, he said, he would review in the evening and if there was an instruction he would note it. Besides preparing the head-notes, reading the final proof of the notes and in his absence general supervision of the office would also be my responsibility. I could make out that he had already decided to appoint me leaving no room for me to think it over. He did not bind me down to fixed office hours and left it me to come late, leave early but complete the task on time. The same applied to leave and holidays. I had just to

inform him to make sure that the work was not delayed. Such an arrangement could have been satisfying for Chaudhry Sahib but not for me. His total reliance on me and making me responsible for everything weighed heavy as he left no room for me to suggest anything and on my part I hesitated out of sheer respect to him. At the same time I had a feeling that Chaudhry Sahib had declined everything on his own and instantly and thus overruled my plans to start work from end-September. Nevertheless, I kept quiet reposing trust in God alone.

Mr. Parthasarthy Aingar, assistant editor Indian Cases: The other assistant editor in the Indian Cases was Parthasarthy Aingar who was much more experienced than I. He was a Brahmin from Madras and an advocate of Madras High Court. Chaudhry Sahib so divided the work between two of us that he prepared publication of the cases of some courts and I of others. Chaudhry Sahib reviewed my work himself and I was required to have a look at the proofs of Mr. Parthasarthy's manuscripts. If I ever felt the need of correcting his work we would consult each other and if we differed the decision lay with Chaudhry Sahib. We had an exchange programme with some publications, one among them being "Oudh Cases" edited by Pundit Basheshar Nath Sri Waslva who later became chief justice of Oudh judicial commissionary and then the chief justice. He was a very able lawyer and, in Chaudhry Sahib's opinion, Oudh Cases was a very distinguished journal. Hence, his instructions were that the judgments published in Oudh Cases should be reproduced without a change even in the head-notes. The reporter of every court would send to us the certified copies of all judgments with head-notes.

Father gives up practice in service of religion: What worried me the most about the change in my plans was that I could not have a final consultation with the father. I was conscious that not only I had made such a critical decision without his consent but had also stopped law practice with him. I explained to

him the situation confronting me. The father's first response was somewhat reassuring, the tenor of his letter was affectionate but still he wished to convey that it would have been convenient for him had I postponed shifting to Lahore for a few months. His own plan was to give up practice and devote rest of his life to prayers, recounting God's bounty and service to religion. In 1904 as he pledged allegiance to the Founder of Ahmadiyya movement he sought his permission to give up practice and report to him. Keeping in view the principle "stay steadfast where Allah has put you", he advised him to continue his law practice, set an example of rectitude, beg Allah's forgiveness and spend lavishly in His way. The father acted upon that advice as far as he could. The father then spent his time committing the Holy Quran to memory. In 1916 when the father again expressed his desire to give up practice, the mother and I advised him to keep going. He was then only 53 years of age, in good health and was doing well and in land cases was counted among the best in the district. He was held in high esteem and though belonging to an agriculturist clan he commanded great influence in the city. For a number of years he had been a member of the municipality and was vice-president for three years (in those days deputy commissioner in his official capacity was also the municipality chairman). His response to my and mother's advice was: "Human greed has no limit but contentment is a virtue. Allah in his bounty had arranged for your higher education and now you can stand on your own feet. Besides practice I have other sources enough to meet the needs of my Spartan life and the education of your younger brothers. Your sister is content in her own home. I have no other liability. To keep practicing just because it is going on would be purposeless. My eyesight is getting weaker and competition now is with the English-knowing lawyers. My knowledge of English is limited which, if not today, tomorrow would have a bearing on my practice. It is better that I leave practice while the going is good instead of practice leaving me one day. That aside, what weighs heaviest on my mind is that if the entire life were to be spent in making a living – what is the ultimate gain? My intention is that as Allah in his infinite mercy has

taken care of all my needs, I should now spend most of my time in the service of religion."

Expression of satisfaction on my work: I faced no difficulty in working at the Indian Cases. Every weak or ten days we received an issue of Oudh Cases carrying four judgments that had not been published in the Indian Cases. The past practice was to reproduce such cases with head-notes unchanged. I prepared my own head-notes for all four judgments. Chaudhry Sahib liked my head-notes and sent instruction across that the Indian Cases should carry the head-notes I had prepared observing that henceforth it wouldn't be necessary to send Zafrulla Khan's note for his review. So with Allah's infinite grace, the expertise that I was expected to acquire in a year's apprenticeship, terminated in two weeks.

In those very days while reading the proofs of a Calcutta High Court judgment I noticed a defect in the head-note. I proposed a correction to it. That note was prepared by our own Calcutta reporter which lay in the domain of Mr. Parthasarthy. He had passed it without a change. When Lala Kishan Chand, head proof reader, took the amendment that I had proposed, Mr. Parthasarthy said it looked plausible but if the head-note were to be amended the Calcutta reporter might resent it. He came into my room.

I offered him a drink. Embarrassingly he said "let it be a lemonade, after all who is watching". He drank it after hesitating a bit. Mr. Parthasarthy Aingar, as is apparent from his name, was a high-class Brahmin from of Madras. For reason of caste he was severely restricted in eating, drinking and social interaction. When he came to Lahore in the beginning he wouldn't even wear shoes because, according to his belief, leather being unclean should not touch human body. The Punjab cold however compelled him to start wearing sandals.

About the amendment made by me in the head-note he said he fully endorsed it. But the Calcutta reporters were very sensitive and on a protest lodged by Calcutta reporters, Chaudhry Sahib had directed him not to amend their head-notes and since then he hadn't. I said since a flaw must be corrected, we should send it to Chaudhry Sahib at Dalhousie Mr. Parthasarthy wouldn't agree even to that. I said if he agreed with the amendment I would own the responsibility for it. To that he readily agreed.

Relieving anxiety in my work: In October as Chaudhry Sahahbuddin returned from Dalhousie, I looked somewhat worried to him. I told him then that the father was winding up his practice and I should be there to give him a helping hand. After brooding for a while Chaudhry Sahib said that I had grasped the work and my speed was also fast so I could go to Sialkot every week for three days – Monday, Tuesday and Wednesday – and so arrange that the hearing of most cases was fixed on those days. The remaining four days I should work at Lahore. His sympathetic advice and permission relieved my anxiety and I thanked God who in His mercy instilled this solution in Chaudhry Sahib's mind without my asking for it. My heart was filled with gratitude for Chaudhry Sahib for appreciating my anxiety and suggesting a solution. Had he proposed to cut my emoluments to half I would have gladly accepted it. As for me nothing mattered but the goodwill of my father. When on the first of November I got my salary for October in full, I felt even more grateful to Chaudhry Sahib. I would leave for Sialkot on Sunday evening and return to Lahore on Wednesday evening.

Meanwhile the colleges had opened after vacations. Chaudhry Shamshad Ali was then studying for M.Sc. chemistry and lived in Shish Mahal hotel and Syed Afzal Ali for MA history in Forman Christian College lived in the newly built Ewing Hall. Their arrival relieved my loneliness considerably. To the west

of Chaudhry Sahib's house there was another house that he owned but had given it to Sheikh Rukunuddin, senior civil judge. He was transferred in October and the house fell vacant. Chaudhry Sahib, then, on his own asked me to take that house if it suited my requirement. The house was well built and spacious. I would have gladly paid whatever rent he suggested. There was no question of rent, he said. In those days there was no electricity in the walled city but soon became available. When Chaudhry Sahib arranged electric connection for his office and house he did it for my house as well and said the electric bill also be paid from the office. Thus within two months I had the permission to spend three days in Sialkot, got a house without rent and with electricity and water. I had to get only the household goods and also hired a servant.

Syed Mir Afzal Ali: In those days friends would gather in the evening three or four times a week at the house of Syed Afzal Ali. I would also some time Chaudhry Shamshad Ali, Syed Mohammad Shah and Syed Ahmad Shah Bokhari also gathered there. On occasions Syed Inamullah Shah came along from Sialkot. From Ewing Hall would come Maulvi Mohammad Sharif.

Syed Afzal Ali was scion of a Muradabad Syed family of high distinction. As Punjab fell under the British sway, a number of officials from the United Provinces were appointed in Punjab. In my childhood all such officers and their families were called. "Hindustani". Till then their language and culture had no visible influence of the language or culture of Punjab. Their attire was also Hindustani and so was the diet. At that time chewing of betel in central Punjab was also confined to their circle. Tea was consumed mostly in their homes. Marriages were within the families and they tended to cluster in one or adjoining colonies. The employees and domestic servants in military cantonments were also Hindustanis. Syed Afzal Ali's grandfather, at one time, was the Kotwal (police chief) of Lahore and his maternal grandfather Deputy Qaim Ali was

revenue officer in Gurdaspur. His father was reader of Sialkot's district judge. He lived in Mianpura. His maternal uncle Syed Faizul Askari was a Tehsildar and his younger uncle Syed Nazrul Baqir was an officer in the commiserate. Syed Afzal Ali was first married to the younger daughter of Syed Nazrul Baqir. After her death he got married to Syed Faizul Askari's elder daughter. Syed Nazrul Baqir's elder daughter was married to Syed Sajjad Haider Yeldram. Both husband and wife were writers of high order. Literature and literary composition was a distinction of the family. The novel *Godar ka hal* (gem in a rag) was Syed Afzal Ali 's mother's famous literary masterpiece. The collection of his literacy essays *Takhyyelat* (flight of fancy) is a course book in the Punjab University.

Syed Afzal Ali was my class-fellow from early years in school. The house of his father was in the lower part of the fort near the women's mission hospital. When he shifted his residence to Mianapura, he had Syed Afzal Ali admitted in the nearby American Mission school. When my father got me admitted in this very school we became class-fellows. Our friendship lasted till his death. He proved to be a very sincere and loyal friend and a priceless gem of a man. His companionship and affection is ever fresh in my heart. God enables me to pray for him everyday and a number of times. In 1904 when we became class fellows for the second time, both of us were at the threshold of adulthood. Syed Afzal Ali was older by two years but from the very beginning his attitude toward me always was as if I was older than him. I was an Ahmadi and he was a Shia by birth but the difference in belief posed no obstacle to our relations. His home was near the school. In the midday break we would go for prayers there.

The Shia say their prayers only behind a learned old man or pray individually. Syed Afzal Ali would ask me to lead the prayers but would let his arm hang loose and place a tablet of holy soil where his forehead touched the ground. Both of us were of slim physique but he was taller. During the exercise

hour we would often grapple and continue grappling till he gave up. While grappling we would laugh all the time. Both of us passed in the entrance (matric) examination. Out of 40 students in our class only eight passed. Khawaja Mohammad Ibrahim, Lala Amin Chand and I in first division, Ferozuddin, Abdur Rehman, Khawaja Rehmatullah and Syed Afzal Ali in Second division and Khan Sahib Ahmad Din in third. I got admission in Government College, Lahore and Syed Afzal Ali went to Sialkot's Murray College which then was called Scotch Mission College. The same year tuberculosis afflicted him which lasted five years. He passed the intermediate examination somehow in 1914 and BA in 1915.

In November 1914 when I returned from England Syed Afzal Ali was preparing for the BA examination at Forman Christian College. He was residing in Newton Hall. In December I was in Lahore to get my practicing licence, when he learnt that his father had suddenly died of heart failure. He was an extremely noble and dignified man. He was on friendly terms with my father and held me in great affection. His death caused immeasurable grief to Syed Afzal Ali and also put him the worry about his livelihood. He was a contented youth endowed with great determination. Considering everything he decided to complete his education come what may. In 1945 he passed BA and got admission in MA. Khawaja Mohammad Ibrahim and Syed Afzal Ali were close friends in school. Both joined the same college. Both became tubercular patients and passed the FA and BA together.

Chaudhry Shamshad Ali Khan: Chaudhry Shamshad Ali Khan was a scion of a Rajput clan of Rohtak district. His mother died in his childhood and his father Chaudhry Taj Muhammad Khan was a risaldar (cavalier) in the army. In the course of service he was posted abroad for long years. All that while, Chaudhry Shamshad Ali stayed with his cousin Chaudhry Habibullah who was

also an officer in the cavalry. During 1909-10 he was posted at Sialkot cantonment. The head clerk of his regiment Mirza Ahmad Beg was a committed and enthusiastic Ahmadi. Later he became an income tax officer and since retirement is residing at Sahiwal. Chaudhry Shamshad Ali was on visiting terms with him. Impressed by his piety, Chaudhry Sahib too paid attention to the Ahmadiyya movement and studied a bit. In those very days he made aquamtance of Syed Inmaullah Shah and pledged allegiance to the Ahmadiyya movement. He was the first to do so in his clan. In 1910 he passed the matric exam in first division and won a scholarship. He joined Government College, Lahore in FSc where he became a class fellow of Sahibzada Mirza Bashir Ahmad. He also became friendly with me.

The vacations were coming to an end when from a letter of Chaudhry Shamshad Ali I gathered that his father being no longer able to meet his college expenses had called him over to get him enrolled as JCO (jemadar) in his regiment. He wouldn't therefore return to the college. I asked him to come over to Sialkot for consultation where we deliberated and agreed on a proposal which enabled him to continue his studies.

Since I was required to go to Sialkot three days in a week and in the remaining worked on the Indian Cases, I had to start work early in the morning and keep working till midnight, even later, and also on Sundays. Yet it was no burden. I liked the work.

My first case at Patna High Court: In Monghir (Bihar), Bhagalpur and the area around some people by then had joined the Ahmadiyya movement. In Monghir, Hakim Khalil Ahmad, a respectable convert, had the custody of a mosque and leading prayers there was an inheritance of his family. After he became an Ahmadi, some other Ahmadis also joined the prayers led by him. The

residents of the locality objected to it. They disowned the custodianship and imamate of Hakim Sahib contending that having denounced Islam he was no longer entitled to the custody of the mosque nor could lead the prayers. The matter went before a civil court. There sub judge Mohammad Ibrahim ruled that Ahmadis were Muslims and not infidels though their beliefs were an undesirable innovation. And since majority of the locality did not subscribe to their belief, the Ahmadis may offer prayers individually but not as a group behind their own imam. Against this judgment Hakim Sahib went in appeal before the district judge who maintained the decision of the sub judge.

Both parties then went in appeal to the Patna High Court. The opposing side contended that the Ahmadis should be declared infidels and not allowed to enter the mosque. Hakim Sahib's case was that he and his companions were entitled to pray in the mosque in a congregation. Hakim Sahib encountered difficulty in engaging a lawyer for appeal in the high court. No Muslim lawyer was prepared to represent him. However, Mr. Khurshid Hasnain (a Shia) agreed and a Hindu was appointed his attorney. Under the guidance of Mr. Khurshid Hasnain, the case was painstakingly prepared by Syed Wizarat Husaain of Oren. To begin with both appeals were on the weekly cause list of chief justice Sir Edward Shernere and justice Roe.

Hakim Khalil Ahmad and Syed Wizarat Husaain wrote to the Ahmadiyys Imam that the opposite side had engaged Mr. Mazharul Haq and Maulvi Fakhruddin to represent them. Only Syed Hasan Imam had declined on the ground that it was a religious issue and he would not like to support or oppose either side. Even otherwise Syed Hasan Imam's practice was mostly on the criminal side. In the situation both gentlemen (Hakim Khalil and Syedb Wizarat Husaain) sought Imam's advice whether it would be appropriate to engage yet another lawyer to represent the Ahmadis alongside Mr. Khurshid Hasnain.

The Imam directed me to go to Patna. While I was thrilled on the affection and favour bestowed on me, it put me to worry as to how with my little knowledge and experience I would be able to shoulder this onerous task. It was hardly two years that I had started law practice and that too restricted to the lower courts. I had never appeared in chief court and was not at all familiar with the code and conventions of superior courts. Of the dispute, I had but passing knowledge. Though over the custody of a mosque and the right to lead prayers, at the bottom lay the question whether the Ahmadis were Muslims. I had no knowledge of the doctrinal or legal aspects of the dispute. Above all, the date of hearing was approaching and I had to leave Lahore immediately. I sought Chaudhry Shahabuddin's permission which the graciously accorded. Syed Inamullah Shah agreed to company me.

Syed Inamullah Shah: Syed Inamullah Shah was scion of a well-known Syed family of Sialkot. Shamsul Ulema Maulana Syed Mir Hassan (Allama Dr. Sir Muhammad Iqbal was privileged to be his student) was among the forbearers of his family. He was an embodiment of humour and hospitality. Friendship to him was an article of faith and he was a sworn enemy of pride and arrogance. At home or travelling his company was a guarantee of good cheer. Wary of schooling and in search of livelihood he found a job in the octroi department of Sialkot municipality. Being of literary taste, the octroi post became a focal point for the yourth who were similarly inclined. I was younger to him by some years. When "Peghame Sulah" started publication from Lahore he joined its editorial staff but soon returned disenchanted to his Octroi post. He was a fast friend of Syed Afzal Ali and his devotion to me also grew. As I mentioned to him the journey to Patna he was too happy to come along.

Patna High Court: In Patna, we met Syed Wazarat Hussain and gathered the facts. Though not in the legal profession, he had full comprehension of the

case. He had painstakingly prepared a compendium of facts, investigations, questions of law and *fiqh*, legal arguments and divergent views. The summary of all events and the supporting references were all neatly recorded in his note book in a serial order. It took me less than an hour to grasp the case in all its aspects and felt confident that with Divine guidance and given a day's concentrated labour I would be able to prepare the case. With remarkable foresight, Syed Sahib had put together all the books of law, *fiqh* and precedents in the rest house. No need arose for me to go to a library. He had the books of law and interpretation of Mr. Khurshid Hasnain. I completed the compilation of facts on the very day of arrival. Only looking up the references of law and *fiqh* and martialling of the arguments remained.

Accompanied by Syed Wazarat Husaain I went to see Mr. Khurshid Hasnain for a brief exchange of views. He told me that Mr. Mazharul Haq was essentially a criminal lawyer. About Syed Fakhruddin he told me that he was a very able lawyer and had a lot of experience of civil suits but as a government pleader he had been generally assisting other lawyers in our case too. However, he had taken no part in preparing the case nor would argue it. That should be left to Mr. Mazharul Haq assisted by Mohammad Yunus and Maulvi Mohammad Tahir. Some other lawyers had offered their services only to go to on the record. He also told me that though Mr. Mazharul Haq and the chief justice were on friendly terms, Mr. Mazharul Haq was inclined to be ostentatious but the chief justice was a simple straightforward man.

I was also told that Mr. Mazharul Haq had submitted before the chief justice that since complicated questions of religion and *fiqh* were involved, he should include a Muslim judge, Justice Sharfuddin, in the bench. When chief justice consulted Justice Sharfuddin he said that since he was strongly opposed to the Ahmadiyya beliefs, it wouldn't be appropriate for him to sit on the bench.

About the date of hearing I was told that though our case was included in the cause list of the next week, the case that was ahead of ours was unlikely to be concluded within the week. Our case therefore might take two weeks to come up. That put me to worry as to what would I do sitting in Patna. Mr. Khurshid Hasnain advised me to see the registrar who may come up with some solution.

My young age and lack of experience: The best part of Sunday was spent in preparing the case. Syed Wazarat Husaain was a calm and analytical gentleman. The impending judgment was of importance for the Ahmadiyya community as a whole but critical for the Ahmadis of Monghir and Bhagalpur. When Hakim Khalil Ahmad and Syed Wazarat Husaain had asked for the services of a lawyer they had not even heard of me. They must be expecting that the Imam would send some lawyer from a Allahabad, Calcutta or Lahore. Not to speak of knowledge, ability or experience, I was then just twenty-three years old – junior even to the most junior and much younger than the youngest of the lawyers in the opposition panel. On arrival, however, the old and young all received me cheerfully with courtesy and Syed Wazarat Husaain in particular not only extended cooperation but was also a source of encouragement. Whatever I wanted to know he would explain skillfully. His noble qualities left a lasting imprint on my mind. The memory of his graceful company will remain ever fresh in my mind. Hakim Khalil Ahmad was a gentleman of great virtues and cheerful disposition. For sure, his life, like every other human being, couldn't have been free of worldly worries but I never saw him worried. He passed away in December 1970.

The case study completed, we went on an excursion to Bankipur and Muradpur on the river-side. We also saw the famous Khuda Baksh library and the palace of the Maharaja of Darbhanga. Looking at the public buildings and magnificent mansions of aristocracy was also a rewarding experience. On

Monday morning we went to the High Court to see the registrar. About the date of hearing, he said that there being no possibility of hearing during the week he would put our case on top of the next week's list. About permission for me to appear, he said since I was a barrister and enrolled advocate of the Punjab Chief Court there should be no problem. It wasn't necessary to make a request in writing. Instead I should ask for permission as I appear.

Excursion to Banaras and Allahabad: Six free days ahead weren't enough to return to Lahore. Sitting in Patna doing nothing also weighed on my mind. Syed Inamullah Shah proposed we go to Banaras and Allahabad.

Syed Haider Imam: Passing through the main street of Muradpur, we came across Syed Mehdi Quli and Syed Haider Imam – the only son of Syed Ashraf Imam and grandson of Khan Bahadur Syed Fazal Imam, the elder brother of Nawab Syed Imdad Imam Asar and father of Sir Syed Ali Imam and Syed Hassan Imam. Though Syed Haider Imam was still a college student, being the only child of his parents he had a lot of say in managing the affairs of the family. Discipline, care and keen understanding were a part of his nature. Though aristocratic by birth, he was simple and hospitable.

Arrival in Banaras: The next day Syed Inamullah Shah and I went to Banaras. Knowing no one, we hired a carriage and went to riverside cruising in a boat. From the river the town looked pleasing but walking through the streets had little to commend itself. That was in 1916. For half a century after that I had no chance to see Banaras. As a member of the central Indian cabinet I went to Banaras Hindu University by-passing the town. During the river cruse Syed Inamullah Shah suddenly suffered pangs of hunger. A beautiful view of the palace of the Maharaja or slim and soaring minarets of the mosque built by Emperor Mohiuddin Aurangzeb Alamgir were no compensation for his hunger.

As he sighted some cremation piers on the river bank he insisted we go back. The hunt for a restaurant instantly started. The treatment that we received at the hands of a Hindu keeper of a soda-lemon shop on our demand for a lemonade convinced us that in that Hindu holy city a Muslim wayfarer could not fulfil even his elementary needs and yet keep his self respect. We were all set to go to the railway station hoping to find a restaurant when we suddenly spotted a Muslim baker's shop. Since the hunger of Syed Inamullah Shah was getting out of control, we gratefully ate whatever was available Syed Inamullah Shah was fond of good food but, at the same time, could not bear hunger for long. The urge to eat would drive him to the limits of his patience. Having eaten we went to pay homage at Emperor Aurangzeb mosque and after roaming around in the bazaars for a while returned to the station.

Arrival in Allahabad: In Allahabad, Mr. Padam Sen, reader at the university and an old boy of Lahore Government College, had arranged for us to stay at the bungalow for Mr. Grewall. He was also my contemporary in Government College. The dinner for us was arranged at Mr. Padam Sen's austere residence. He was a Jain and his father and other family members strictly followed the Jain rituals and customs. In such circumstances to have us as guests at meals was a gesture of extreme courtesy and extravagance. The meals were as they must be in a Jain home. For a gourmet like Syed Inamullah those were two very trying days. For him it was to endure what couldn't be helped. Since Mr. Padam Sen had kept all his time free for the duration of our stay to show us round Allahabad he was constantly with us giving no opportunity to Syed Inamullah look around for a "nan-kabab" snack. To me his face betrayed the state of his mind but was beyond me to help. I felt sorry for him and yet looking at him found it hard to suppress my glee.

One afternoon we went to the confluence of the Ganges and Yamuna rivers. The six of us boarded a boat at a jetty under a railway bridge. The seventh was the boatman. Cruising at the confluence was most enjoyable with the clear stream of Yamuna and muddy Ganges visible for some distance and gradually merging into one. By the time we returned the sun had set but it was a moon-lit night. The Yamuna water shimmered in the moonlight. The stream was silent but deep. The boat was in the mid-stream and since it was going against the flow it was moving slowly. I asked Syed Inamullah: "Mir Sahib, if the boatman says that the boat was too overloaded for him to steer making it necessary for one of us to jump into the river to lighten the load so that he can take the rest of us safely to the bank, would you be ready to make this sacrifice for all of us?" Anxiety was writ large on the face of Mir. In panic his fretful reply was: "it is no time for jokes. You have spoiled a moment of enjoyment". Reaching the bank, we got into a carriage on the way to the town. Unlike his usual self, Mir was very quiet. When we were about two miles from the river he abruptly said: "Zafrulla, do you imagine I wouldn't have jumped into the river?" I replied "surely you would have".

Return form Allahabad: On return journey as the train was about to reach Patna at daybreak, I asked Syed Sahib where were our overcoats. He said those were kept at the upper berth. I had already checked the coats were not there. Since only two of us were in the compartment, we imagined the coats were stolen during the might but decided not to report to the police as it would serve no purpose.

On Monday our case was listed at serial number four or five of the printed list but a red circle drawn around showed it at number one. Sitting through the proceedings, I tried to study the disposition of the judges and how to address them. Though I was wearing the gown and wig, looking at the other lawyers I

realised that the jacket of my suit should have been black in colour, while I was wearing a day suit. Just at that time Mr. Mazharul Haq walked up and affectionately putting his hand on my shoulder he whispered I should accompany him for a while out of the court. I went with him. He was a tall man of impressive demeanour and looked like a well-dressed European. He was of fair complexion and talking to the ordinary folk he would speak Urdu in European accent. He kept talking to me in English. The English he spoke was simple without a shade of formality in accent. He took me along to Syed Fakhruddin's room and introduced me to him, a dignified, pious-looking old man.

Mr. Mazharul Haq said the case being very important everybody was keenly waiting to hear my arguments. He felt confident that no difficulty would arise in getting permission for me to speak but a problem could arise in the interpretation of the relevant rules of the high court. I said I had not seen the rules but had consulted the registrar who thought there should be no hindrance. He showed the relevant rule to me which said any advocate of a chartered Indian high court could be permitted to plead providing an advocate of Patna High Court represented alongside him. Mr. Mazharul Haq pointed out that though under the civil code Punjab chief court had the status of a high court, it was not a chartered high court. And though I was also an advocate of London high court but that was not an Indian high court. So that rule did not apply. He wouldn't raise any objection but it is likely that the judges bring up this point so I must be ready to reply. If such a question arose, I said, my first submission would be that the judges should hear my plea as amicus curiae (friend of the court) which lay entirely in their power. Otherwise I shall have to get a power of attorney from my clients. I thanked for alerting me ahead of time.

As our case up, the chief justice observed that in the list before him our case was not first in order. The Reader submitted that the Registrar had put the case at

number one as the lawyer of one party had come from Lahore and had been waiting for a week to be heard.

Chief Justice: So this in the case about which I was told that a non-Muslim judge can neither understand its complexities nor can reach a conclusion.

Mr. Mazharul Haq: My Lord, I was the one to make that submission only to suggest that it would be appropriate for a Muslim judge to join the hearing.

Chief Justice: Well, who is representing the other side?

Zafrulla Khan: My Lord, I seek leave to appear for Hakim Khalil Ahmad and others. I am a barrister of Lincoln's Inn and an advocate of London High Court and Punjab chief court. Mr. Khurshid Hasnain will be representing alongside.

Chief Justice: I see no difficulty in giving permission.

Mr. Mazharul Haq: My lord I wish to raise no objection but respectfully draw your lordships's attention to the relevant rule.

Chief Justice: All conditions of the rule are met.

Mr. Mazharul Haq: My lord, the rule stipulates advocate of a chartered Indian high court while my learned friend is an advocate of the Punjab chief court.

Chief Justice: The status of the Punjab chief court is also that of a high court.

Mr. Mazharul Haq: No doubt, under the civil code, Punjab chief court has the status of high court, but since it is not created under a charter, hence it is not a chartered high court.

Chief Justice: So what have you to say?

Zafrulla Khan: Your lordship has the authority to hear the plea of any advocate as an adviser to the court.

Chief Justice: If the wording of the rule stands in the way it would create a difficulty. But I recall an amendment was recently made in the rules. The reader should get those papers from the registrar and, meanwhile, the lawyers of the next case should be summoned. That is a simple case and shouldn't take long.

The next case was taken up and during its hearing the required papers were also placed before the chief Justice. Once satisfied that the papers he wanted had been provided the Chief Justice told his reader to give the papers to Mr. Mazharul Haq to see and also show to his friend. The papers revealed that the word "chartered" had been omitted from the relevant rule. After a while the hearing of the other case was over, the chief justice asked Mr. Mazharul Haq whether he still had an objection. He had none. The chief justice permitted me to plead but it was getting to be 4 o' clock and the court adjourned to meet at 10 the next day with our case first to be heard.

The next day as the court assembled the chief justice asked me whether I was ready to argue

Zafrulla Khan: My lord I have I have a submission to make. Before your lordship are two opposing appeals. Both lower courts have ruled that the followers of the Ahmadiyya faith are Muslims and can pray individually or alongside others in the mosque. But they cannot pray in a separate congregation behind an Ahmadi Imam. Our appeal is only to the extent that we should have the permission to pray in congregation behind an Ahmadi Imam. The opposing side accepts no part of the lower court's order and demands that the followers of the Ahmadiyya faith, not being Muslims, are not entitled even to enter the mosque much less pray. If their contention succeeds our appeal would necessarily abate for if Ahmadis are not Muslims they can have no connection with the mosque. So it would be appropriate for the court first to hear the appeal of the opposite side. If after hearing the arguments the court is of the opinion that Ahmadis, indeed, are not Muslims, it would be unnecessary to spend time in hearing our appeal.

Chief Justice: It is a reasonable proposal Mr. Mazharul Haq, make your submissions.

Mr. Mazharul Haq: My lord, we haven't yet decided whether to press our appeal or not.

Chief Justice: In other words you are not yet ready to start your arguments (and then addressing me) are you ready?

Zafrulla Khan: My lord, I an ready.

The arguments began. It was up to me to restrict the arguments to the rule of *Fiqh* whether in a mosque there can be two congregations for the same prayer and leave it to Mr. Mazharul Haq to initiate the arguments on the point whether the Ahmadis are Muslims or not. But I chose not to follow that course. It had become apparent to the court that Mr. Mazharul Haq was reluctant to argue on that point. Till then the court had sympathetic attitude towards me. On this basic point, our stand was strong and credible under the law. It was an opportunity for me to make an imprint on the open minds of the judges by presenting arguments on both aspects of the case in one go. Mr. Mazharul Haq would have then been required to give his reply to both points and I would get a chance to rebut his contention. Such a course had become necessary because the judges naturally looked inclined to be enlightened on the basic issue as to what really were the Ahmadiyya beliefs on which others felt persuaded that Ahmadis were not Muslims.

The court listened to my arguments attentively and the attitude of the judges was helpful throughout. One reason could be that the judges saw an inexperienced lawyer making his debut all alone (Mr. Khurshid Hasnin had made an appearance only for a few minutes) facing a strong team of experienced lawyers. From the opposite side Mazharul Haq, Mohammad Yunus, Mohammad Tahir, a few other lawyers and a bunch of scholars sat confidently. With me was only Syed Wazarat Husaain sitting to a side.

The allegation of insulting Jesus Christ: Mr. Mazharul Haq in his arguments put all the stress on the issue that the Ahmadiyya beliefs ran so contrary to Islam as to amount to *Kufur*. This indeed was his basic demand and he was right to emphasise it. But his one argument surprised me somewhat as it

was intended to arouse sentiment of hostility and anger in the minds of judges against the founder of the Ahmadiyya movement. In passing he had said "how we Muslims who repose faith in Jesus Christ and hold him in high esteem can accept a man and his followers Muslims who is guilty of such rude and insulting remarks of which I will read out the English translation". After that he read out English translation of some sentences of the founder which was bound to arouse the passions of the judges. And, indeed, it was so apparent from their faces. But I imagined it must have made them think that a lawyer who tried to see his way through by appealing to the sentiments of the judges must be devoid of arguments.

Hazrat Isa of Quran and Jesus of Bible: In my counter reply, it became necessary for me to deal with all of his arguments. About some the judges would say it wasn't necessary. About the rest, I had no difficulty in satisfying the judges. It took some time for me to refute the allegation of insult to Jesus Christ. I submitted that it "saddened me a great deal to see my learned friend rely on a mistaken argument that was without a foundation. He should have borne in mind that since his submissions might hurt the sentiments of the learned judges he should have acted with restraint. It was necessary that he himself should have fully comprehended the context and background of the dissertation out of which he had read out the English translation only of a few sentences. And if he felt persuaded to read out a part, he should also have read out context in which it was said or at least its summary to rule out any misunderstanding or doubt for me to clarify since he had no so done. The first and basic rebuttal of the conjecture on which my learned friend had based his argument was that Ahmdiyya community truly and sincerely believes that each and every word of the Holy Quran is Allah's word. Jesus Christ (Hazrat Masih) being a truthful prophet and messenger of Allah, the Holy Quran refers to him and his mother with great reverence.

"How it could be possible that the founder of the Ahmadiyya movement who was a devotee and a servant of the Quran should not be holding Jesus in high esteem. He had written and said time and again that he recognised Jesus as Allah's rightful prophet and messenger and his own claim was that he was his spiritual likeness just as prophet Jehovah was a spiritual likeness of prophet Elijah. How was it possible that he should have been rude or disrespectful to the very true prophet in whose image he claimed to be. The background of the unfortunate and ingrained habit of Christian priests to use extremely foul language for the founder of Islam Hazrat Muhammad Mustafa and make his holy personage a target nor hurting the sentiments of the Muslims deters them. It is in such a circumstance and fed up with their cruel behaviour that the founder of the Ahmadiyya movement felt compelled to draw their attention to the same facts related to their own home which could possibly reform their behaviour. He therefore wrote that the Christian priests in attacking the holy personage of the prophet of Islam and the Holy Quran's message of pristine purity only testified to their own moral degradation and ingratitude.

If we acknowledge Jesus Christ as a true prophet of God and also hold his mother in high reverence it is because that is what the Holy Quran and the Holy Prophet taught us. In our estimation the status of Jesus Christ is the same as is described in the Holy Quran. But we are not aware nor recognise Jesus and his forerunner mentioned in the testaments nor that holds them out to be followers of truth or men of good character. To support that we highlight some facts. Therefore, whatever my learned friend has read out was not said by the founder of the Ahmadiyya movement nor he could have ever said it. All those references to Jesus Christ are either reproduced form the Bible or are a summary or essence of what is written in the Bible – not a word is added by the founder of the movement. If these quotations are objectionable or improper, the responsibility lay on the writers of the Scriptures. The founder of the movement

has categorically stated that it detracted from the dignity of Jesus Christ and the Ahmadis were not prepared to consider even for a moment that all that was quoted is applicable to Jesus Christ. Had my learned friend cared to explain the background and the context of the quotations the misunderstanding created would have been avoided".

As my reply to the arguments came to an end, reserving the judgment the Chief Justice addressing me by name said a few words of appreciation about me and also in behalf of the other judge on the beach, Justice Roe. Compared to the responsibility entrusted to me I was no body. If I had been able to shoulder it to an extent it was nothing but the blessing of Allah.

As the court adjourned Mr. Mazharul Haq stepped forward to shake my hand most affectionately and enquired for how long I would be staying there. I said I would be leaving that very evening. He said it would give him great pleasure if I dropped by just for a few minutes at his house before departing. After dinner I went over to see him. He was actively involved in politics and occupied a position of influence in the Congress high command while I stood nowhere. Yet he treated me with great affection and said I had argued with remarkable ability showing full command of facts, law, religious beliefs and schism and that I had put across everything in a commendable manner. All of them, he said, had heard my pleadings with great interest. Thanking him I said it was nothing but his kind thought. I had not found preparation of the case burdensome as Syed Wazarat Husaain had put the whole case together before hand. My role was minimal. Nevertheless, he said, I had put across everything effectively and convincingly. There was yet another element which could have helped: "For you all it was but another case, important though it may have been. But for me, the learner, it was an important case because my beliefs and the faith itself was being debated and the rights of my community were also under threat".

After that I never met Mr. Mazharul Haq but later in life he gave up law practice and also quit politics to become an abstinent recluse. After selection in ICS, when Chaudhry Shamashad Ali Khan was posted in Behar he became friendly with Mr. Mazharul Haq. Through him I would get his greetings and messages. I was surprised to hear of a revolutionary change in his lifestyle. Giving up western suit and English hat, cigarette and cigar, bungalow and motorcar, he grew a long beard, wore red ochre robes and retired to contemplate in seclusion.

Call on Maharaja of Mahmudabad at Lucknow: Leaving Patna that very evening, Syed Inamullah Shah and I arrived in Lucknow and stayed with Syed Sajjad Hyder Yaldram, then private secretary to the Maharaja of Mahmudabad. The Maharaja graciously invited us to dinner. He was a companion of the kings and I – a man of no consequence, yet he received me with great civility.

Dr. Ali Naqi son of Shamsululema Maulvi Mir Hassan: The elder son of Shamsululema Maulvi Syed Mir Hassan, Dr. Ali Naqi, was a doctor in the army stationed at Lucknow. Ten years ago Col Harrison, civil surgeon of Sialkot cantonment, had operated on my right eyelid. Dr. Ali Naqi who was also then posted at Sialkot took me to his regimental house to stay there till healing of the wound. Both of us went to call on him in Lucknow cantonment and were received with great courtesy. Whatever the chief justice of Patna high court had to say to compliment me had been published in the newspapers and Dr. Naqi had seen that. He said having know me since childhood and the intelligence and sagacity Allah had bestowed no me, he had no doubt I would go a long way. However he was sorry that in matters religious I had confined myself to a prison. With utmost respect I submitted to him what Hafiz of Shiraz had to say:

عقل گرداند کہ دل در بندِ زلفش چوں خوش است
عاقلاں دیوانہ گردند از پئے زنجیرِ ما

Aqal gardanad keh dil dar bande zulfish chum khush ast
Aqilane diwana gardand az pai zanjeer ma".

[If the wisdom were to know how happy I feel imprisoned in thy locks.
The wise would get crazy to reach my chains]

Khan Bahadur Muhammad Hussain, Sessions Judge Cawnpore: After a day's slay at Lucknow we left for Cawnpore and were guests, but for some hours, of Khan Bahadur Muhammad Hussain, Sessions Judge (father of Dr. Mohammad Nasim, barrister at law). Syed Inamullah Shah had fore-warned me that curry in his house was excessively spicy and since I wasn't used to it I should mention it to the Khan Bahadur. So I did. Khan Bahadur said "you have done well to tell me. The food cooked in our house indeed has lot of red chilli. My wife is particularly fond of chillies but she was away to Delhi. Nevertheless, I would advise the cook."

He called the cook over and firmly told him that chillies in the meals at lunch should be light, in fact nominal. Feeling assured we went sight seeing. At lunch I noticed a green chilli placed before Khan Bahadur. I felt somewhat embarrassed that for my own convenience I had made the food unpalatable for the host. I had put but first morsel in my mouth when my face turned red and water flowed from the eyes. Such was also the state of Syed Inamullah Shah while Khan Bahadur was merrily biting the green chilli with every mosel.

The same evening we left Cawnpore for Lahore. Though a lot of work had piled up but, apparently, my two-week long absence had not caused much

anxiety to Chaudhry Shahabuddin. He was happy on reading in newspapers Patna high court's appreciation for my arguments.

Attendance in a Banaras court in connection with the stolen overcoats: After some days (Syed Inamullah Shah was still in Lahore staying with me) a sub-inspector of the UP police turned up carrying our stolen overcoats. He told us that the coats were stolen by a railway porter Abdullah by name and recovered by a sub-inspector. In the pocket of Syed Inamullah Shah's coat was his visiting card with Sialkot address. To complete his investigation the sub-inspector went to Sialkot where he learnt Syed Inamullah Shah was staying with me at Lahore. Identification done, we expected the coats to be handed over to us bringing the episode to a close. The sub inspector, instead, handed to us summons as witnesses requiring us to appear in the court of magistrate first class Banaras on 2nd January 1917. The memory of a few hours that we had spent in Banaras was not very happy and a return long journey so soon was a troublesome thought. But it couldn't be helped. We left for Banaras the same evening. There we didn't have to wait long. As the court assembled our evidence was recorded and the magistrate ordered the coats to be given back to us. We took the first train for Lahore.

Judgment of Patna High Court: While I was away Chaudhry Shahabuddin ordered fifty-rupee increase in my emoluments. An increase that was due in August was given to me on the first of January. I felt assured that despite my weekly trips to Sialkot and journey to Patna and Banaras, Chaudhry Sahib was satisfied with my work. At the beginning of the year Patna high court maintained the order of the lower court. While announcing the judgment, the chief justice addressing Mr. Khurshid Hasnain said that since complex questions of *fiqh* were raised in the case, if a party wished to appeal to the Privy Council against his judgment, he would unhesitatingly grant permission. Since on the basic question,

the three courts had ruled in our favour, we decided not to seek any further remedy.

Father gives up law practice to settle down in Qadian: In April 1917, my father wound up his practice and went over to Qadian where he became chief of the secretariat. The mother would visit him off and on but spend most of her time either at Daska or with me to my great joy till she came over to take charge of my house at Lahore.

Pleading the first case in Lahore chief court: In 1917 my uncle sent a complainant to me to argue his appeal in a criminal case. Till then I had given no thought to the possibility of working in the chief court as the work relating to the Indian Cases absorbed me fully. I was also somewhat hesitant in stepping into the chief court. Now that I had a case, going through the orders of the lower court I felt there was room for an appeal. That feeling became a kind of mental challenge. The difficulty however was that by then I had not became a member of the chief court bar association nor had a clerk to take care of the office routine. Nevertheless, after I accepted the case and relying only on Divine help I filed the appeal. It was admitted, heard and decided in my favour. That gave me the confidence that work in the chief court was not all that difficult. After that I would get a case or two in a month.

Start of law practice in Lahore: One day Chaudhry Shahabuddin told me: "Zafrulla, God has gifted you a clear mind and I would hate to see you caged all the time in the office of the Indian Cases. If you can get the court work, gladly accept it. The chief court experience would help you in the work of Indian Cases and the other way round". Thus encouraged, I called Syed Inamullah Shah over from Sialkot to help me in the work relating to practice and became a member of the chief court bar association.

Syed Afzal Ali thesis on Bairam Khan for MA examination: Syed Afzal Ali was to write a thesis on Bairam Khan for his MA degree. He exerted hard to collect the martial and gave the manuscript to me. All that I knew about Bairam Khan was that he was a minister of Humayun who had accompanied him when he was forced to flee India. It was because of his persuasive skills that the Saffavid King Tehmasp had agreed to provide troops to Humayun. On Humayun's death Bairam Khan became Akbar's minister and guardian and sagaciously guided the young king through the initial years of his reign.

Syed Afazal Ali's manuscript greatly added to my knowledge. I told him that though his thesis was valuable both from the viewpoint of history and literature, it needed some improvement. So we should together review it daily for two weeks before submitting it to the examiner. Prof. Jadunath Sarkar was the examiner. Syed Afzal Ali later learnt from his teacher that Prof. Sarkar had high praise for the thesis and put it at number one. I congratulated him. However, he looked worried that it had created a problem for him. He said that I had so spruced up the contents and the language as to impress a historian even of Prof. Jadunath's stature. Now when the language of his papers does not match that of the thesis, the examiner might suspect that it was not of the same person and thus he might be hauled. I tried to explain to him that the language of the thesis was his. I had only rearranged the words and phrases to make it read better. In the entire thesis, not one full sentence was mine so he shouldn't worry.

I told him that a man who by his hard exertions had given Bairam Khan a place that he deserved in the history and literature of India should be entertaining no anxiety about his examination. But that failed to put his mind at rest. After a few days he said it would be better if he didn't take the examination that year. I protested vehemently that though we had matriculated together in 1907, he had lost four years to ill health and then a few months before the BA examination his

father had died still he passed. Then he had set his mind on MA degree. In those two years little savings that his father had left, he had spent entertaining this friends. "Now you are shirking away from the MA exam", I told him, "only to avoid facing the realities of life for one more year – the thesis was only a pretext". As I went on he kept laughing. I imagined he was only teasing me for how could it occur to him that he should not take the examination just because of resounding success of his thesis. The matter rested there. As the exams approached, I felt confident he would be preparing for it. On the first day of the exam just before the paper was to start, he came to me and said "look the paper has started and here I am with you. Now you must believe that I am not taking the exam. I have done what I wished, now you can do whatever you wish to do".

It puzzled me a great deal while he kept laughing. Syed Inamullah Shah also came in trying to suppress his laughter. It was obvious from his demeanor that he too was a party to the conspiracy that Syed Afzal Ali should not take the examination. Exasperated, I said the fee of Rs.50 was also wasted. He said no that sum was saved for the next year because he had submitted a medical certificate to slow that because of heart palpitation he wouldn't be able to take the exam. He gave such a humorous description of obtaining the certificate that I couldn't help laughing. He said what would be the punishment for his guilt. I said a year's rigorous imprisonment by leaving the luxurious Ewing Hall and shifting to the rooms adjacent to mine and forgetting the rich oriental cuisine to be content with a simple meal at my humble house. He should start preparing straightway for the examination next year and only success would release him from the prison of my house. He squirmed, sighed and tried to laugh it all away but realised he could not get away. After a few days, wily nily, he came to live in the "prison".

Chaudhry Shamshad Ali passed the MSc (Chemistry) exam that year and got a job in the department of environment at Agra. A little while later, however, Governor of Punjab, Sir Michael O' Dyer announced recruitment to Double Company (Signals). Chaudhry Shamshad Ali joined it and proceeded to Iraq. At the end of June Chaudhry Shahabuddin issued an order increasing my salary by Rs.50 from July. I had worked but just for 10 months in the Indian Cases but my salary increased by two annual increments, house rent, electric and water expenses in addition. Thus, my salary doubled.

Mr. Montague, Minister for India's visit to India in connection with constitutional reforms: On 20th August 1917, Minister for India, Mr. Montague announced the ultimate aim of His Majesty's government to raise the status of India to a Dominion. The Minister came to India and joined by the Viceroy, Lord Chelmsford, made a declaration to ascertain the public opinion. The representatives of various organisations, parties and associations of Delhi appeared before him and the Viceroy to put forth their viewpoint and proposals on India's constitutional developments. A deputation of the Ahmadiyya community also appeared to present an address. The head of the community separately called on the Minister and the Viceroy where I acted as translator. The Minister stated that the community had put forth some very useful suggestions which he had noted to be profitably used in his report. He wished to know who had written the address. On being told that the head had written it in Urdu and I had translated it into English, the Minister observed it was well done and the proposals were simple.

The Punjab Government sets up a publicity committee: During the World War, Punjab Government established a publicity committee to mobilise public support for the war effort. I represented the Ahmadiyya community on the committee. To attend its inaugural session I went to Simla. Among the decisions

made was to start a newspaper to project the thoughts of the men of letters and planners on various aspects for the war effort and the forthcoming events, Khan Sahib Sheikh Abdul Aziz was appointed secretary of the committee. In selecting his two assistants he showed skill in spotting talented men who, besides performing their duties, earned recognition in the world of letters. One was Hakim Ahmad Shuja who became spokesman of the Punjab Legislative Assembly and later its assistant secretary and secretary. The other was Syed Afzal Ali who had just earned his master's degree.

An interesting civil suit: In Sialkot our house was situated in Nakhas – a colony of ironsmiths some of whom had also taken to masonry or other professions. One of their families had attained such high skills in manufacturing surgical instruments that their reputation travelled far and wide. The manufacturers were all related to each other. In other words the locality was a vast household as is usual in such crafts. All of them were well-behaved and of good character conforming to the rule of *Sharia*, compassionate and loyal. My parents joining the Ahmadiyya movement in 1904 made no difference to their goodwill for us.

The house of Mistri Allah Detta's family, most influential in the neighborhood, faced the road and was so partitioned that on the ground floor were iron smithery shops and the residential house right behind which opened not on the main road but on a side street. The roof of the shops served as the courtyard of the residential portion with a parapet wall and some temporary sturucture used as a bathroom. Mian Allah Detta's three sons, named Ghulam Hussain, Ali Mohammad and Mohammad Ali, all had children. As the household grew in size so did its needs and business. At one stage he needed capital. One of his friends Sheikh Miran Baksh who at one time had held a high office in Jammu state would often visit the Mistri's smithery. He borrowed some

money from him and mortgaged the shops with him. The possession remained with Mistri but rent was regularly paid to Sheikh Mian Baksh. On his death, the rights of mortgage fell to the share of his son Sheikh Abdur Rahim. Being a man living in style, he proposed to the Mistri's family to pay the mortgage amount and get the property released. Since Mistri did not have the cash to pay, Sheikh Abdur Rahim sold the mortgage rights to one Sardar Tara Singh who started bothering him and litigation ensued. The suit was decreed in Tara Singh's favour. Allah Detta vacated the shops and rented an open space on the other side of the bazaar, raised a temporary shelter over it to restart his industry. Sardar Tara Singh's intention was that deprived of the facility of using the roof of the shops, Mistri Allah Detta's family would agree to pay a good sum to get the shops released from mortgage. That scheme was defeated when he got the possession of the shops but the roof remained in the use of Allah Detta's family. The shops couldn't be let out for no one in the locality was forthcoming to rent them as the feeling was that the Sardar Sahib, for no reason at all, had put a noble household to trouble. Ultimately, he went back to his lawyer seeking another decree on the ground that he had got the possession of the shops but not of the roof. He applied for the parapet wall and the bathroom to be demolished and possession of the roof given to him.

My father was the lawyer for Mistri Allah Detta. Just about that time I had joined my father in his practice at Sialkot. I filed an objection that the shops and roof being one and not separate properties, execution of the decree was completed when the possession of the shops was given. On the report of the bailiff that the decree had been fully executed, the court had filed the suit on the ground that if the decree-holder had any objection he should have either filed a review petition or gone in appeal. The time limit for the appeal having expired, the order had attained finality and the proceedings relating to the execution of the decree could not be reopened.

Upholding the objection the judge Dewan Sita ram rejected the application Sardar Sahib then filed a new suit to get the possession of the roof and, simultaneously, filed an application praying that the respondents should be stopped from using the roof. The father once again entrusted its defence to me. In reply to the plaint I contended that roof was not separate from the shops, hence no suit can lie for its possession in view of the provision of the Order 2, rule 2 of the Civil Code. This objection was also upheld and the suit dismissed. Sardar Sahib filed an appeal in the court of district judge which was also rejected.

The plaintiff then filed an appeal in the chief court. In the intervening time I had shifted my practice to Lahore. Mistri Ghulam Hussain came over and asked me to defend him and his brothers. I advised him to engage an able and senior advocate. They authorised me to do whatever was necessary. I then went to see Mian Sir Fazle Hussain and requested him to be the senior advocate for the respondents. He said the proposition being interesting and viewpoint of the respondent apparently plausible, why was not I appearing myself. I submitted that the respondent and I once were neighbours and though I had no personal interest in the matter I was being extra careful. He agreed to take up the case and the following day I submitted a detailed typed brief sparing him exertion.

The appeal was heard and rejected by Mr. Justice Mortinoeux after hearing the arguments of the appellant's counsel. No occasion arose to argue from our side. Mistri Ghulam Hussain was naturally delighted but it gratified me in more than one way. First, I didn't like Sheikh Abdur Rahim's action in handing over the shops to Sardar Tara Singh only for his own benefit disregarding the friendly relations that his father had with Mistri family. Tara Singh had bought the right of mortgage only to coerce Mistri family to pay a big sum. The dilemma of Mistri was that if he lost not just the control of the shops even that of the roof of their house would have gone. And had Tara Singh closen to demolish the shops

and, instead, raise a multi-storey building the house of the Mistri would have been made uninhabitable. The helpless Mistris had no legal remedy to get out of that predicament. The course that Tara Singh adopted to harass them opened a door of relief for them. After Tara Singh had obtained the possession of the shops on the basis of court decree, it wasn't really necessary for him to take any further legal action. Were he to get a plan prepared for construction above the shops for the municipal approval, Mistri would have been forced to approach the court of law for the right of easement which would have been troublesome. Tara Singh created problems for himself by trying efforts to renew a decree that had already been executed only to put the Mistri to trouble. The chief court's order closed the door on his further improper moves. Finally, he had no option but to receive from Mistris the amount he had paid to Sheikh Abdur Rahim and handed over the possession of shops to them.

At Shahi Mosque ground instead of cinema: The day that appeal was heard in the chief court, the father also happened to be in Lahore. Mistri Ghulam Hussain desired that we dine with him. As the father was staying with me I felt awkward in accepting the invitation from a guest to his host. Instead he invited us all to cinema. Close to our home was a large theatre building. The father didn't like seeing films. Thus neither of Mistri's two proposals could be implemented. My father proposed that we should go to pray at the ground to the south of the Shahi Mosque which would give us an opportunity to walk and also to thank Allah for success in the case. Underlying the father's suggestion was, perhaps, a desire that we should pray at a spot where in his student days even one hearty meal was hard to come by. Then he lived in Oriental College hostel which was in the rooms around Huzuri Garden. The balconies of those rooms opened toward the ground where the father proposed to say the evening prayer. There Mistri Ghulam Hussain, Syed Inamullah Shah, Syed Afzal Ali, Chaudhry Bashir Ahmad and I offered prayers led by father. At the end of the prayers we saw

flames arising in the direction of Tibbi (street of the singers). As we returned to our residence, we saw the entire cinema building engulfed in flames. The heat was so intense as to be unbearable even a hundred yards away. When the fire started, the cinema was overflowing with spectators who ran in panic and fear. It was midnight before the flames subsided and the fire was extinguished. The next day we saw the fallen heavy iron girders of the building twisted by heat.

Shifting residence to Davis Road: In March 1919 arose in me an intense desire to look for a house away from the city in an open area. At that very time I came across a newspaper advertisement about a house available at a concessional rent for six month. The tenant of that house was son of a rich man studying in Chiefs College. His younger brother, also studying at the same college, was living with him. The two brothers having finished their education were then leaving while their tenancy was yet to run six more months. So they were looked for a tenant. Syed Afzal Ali after joining the war publicity committee had made his own residential arrangements. After some hesitation he agreed to join me again. From Davis Road our offices were at quite a distance making a conveyance necessary so we bought a light old carriage. Syed Afzal Ali's uncle, Syed Faizul Askari, was then tehsildar at Ferozpur. He was kind enough to send a good horse. On first of April 1919 we shifted to 26 Davis Road.

Political demonstrations against the government and imposition of martial law: On 6th of April demonstration were held and protest processions taken out in Lahore and some other cities. At places clashes with police occurred. In a student procession passing through Anarkali and Nilagumbad headed for The Mall, the flag was held by Sheikh Ejaz Ahmad. Just before reaching The Mall, Mr. A.M. Jan took it from him. There as the police intervened to stop the procession a quarrel ensued and the police fired. A bullet hit Mr. Jan below the knee. The processionists dispersed but the anger exacerbated as similar news

poured in from the other cities. When the situation became critical martial law was imposed.

Gen. Dyer's brutal order that shook the British rule in India to its foundations: On 13th of April occurred the bloody massacre at Amritsar's Jallianwalla Bagh and Martial Law was declared in Lahore accompanied by many restrictions on movement and travel. Curfew made life intolerable in the city. The restrictions were less stringent in the Civil Lines where most Europeans and Anglo-Indians lived. Going from one city to another was strictly prohibited. For everything it was necessary to get permission from the martial law officers. In Amritsar, in addition to Jallianwalla, many other atrocities were perpetrated. In riots an innocent Anglo-Indian woman was murdered. Undoubtedly, it was a brutal act but, besides charging the accused, Gen. Dyer ordered that any Indian passing through the street where the murder took place should go crawling on his hands and knees. This order also applied to the residents of the street who were forced to crawl while leaving or returning to their homes.

Though it took India 28 more years to get rid of British oppression, there should be no doubt that it was the martial law of 1919 and more particularly the brutal acts of Gen. Dyer that hastened the demise of the British Raj. The disgraceful discrimination between the white and black during the martial law left an imprint on the minds of Indians that will never erase. The Hunter Commission in its report tried to apply balm to the wounded and saddened hearts of the Indians but to little avail. After that the Indians were prepared to forge and sustain friendly relations with Britain but on the basis of independence and equality and not as slaves or as a colony.

Back from Qadian: On the 14th of April the track between Batala and Amritsar was blown up and the rail traffic suspended. That day I stood at the

platform wondering what to do when by sheer coincidence Sheikh Fazllul Haq came along and seeing my predicament asked a railway official as to how I could get to Amritsar somehow. The official said going to Amritsar by trolley early in the morning he would take me along. I was told to come to the station before daylight. At the morning prayers, he told me that at midnight he had received a message from the railway officer that he wouldn't be able to take me along. The trains were still not running but some passengers were going to Amritsar by tum-tum. I also got into a tum-tum that left Balata at 9 O'clock and passed through Verka around midday. There we saw people stricken with fear coming in large numbers from Amritsar on foot. It seemed as if the people were running from a plague-stricken city. A man who came by tum-tum recognised me and implored that I should go no further as the army the previous day had shot dead a number of people and the citizens of Amritsar were also being subjected to all kind of atrocities – whipped and indiscriminately arrested. I thanked him but continued the journey to Amritsar. I went straight to the railway station as entry in the city was banned.

At the station we learnt that no train was going to Lahore as the track had been damaged. From there, too, the people were going by tum-tum. I also boarded one. On the way when the carriage stopped to rest the horse, plain water was all that went down the throat. At 5 O'clock we reached Shalamar where the police stopped us as Lahore had also been put under martial law and the people coming from outside could not be allowed to enter the city. I told him I was a resident of Lahore and not an outsider. The policeman told me that the tum-tum could not be allowed to enter but I could go walking if I so wished but curfew will come into force at 6 o'clock and anyone seen on the street after that would be whipped. I did not have much baggage but a small bag and a stick. I did not know that the civil station was outside the curfew limits. From Shalamar

26 Davis Road was not far. Still the anxiety was that a distance of three to four miles had to be covered at a very fast pace.

I had gone just beyond Baghbanpura when a man coming from the direction of the city driving his tanga at a high speed shouted for me and stopped. I thought, perhaps, he would take me to his house to stay the night and leave for Lahore in the morning. But all he had to say was whether I was mad to be going somewhere at that hour. "Don't go any further", he said, "Lahore is under strict restraint, find a place here to stay somewhere". I didn't say anything to him and carried on wondering that while he was being sympathetic he had wasted my precious five minutes. When I arrived at the railway bridge climbing up fast I perspired so profusely that perspiration fell from my head like drops of rain. Past the bridge, I took courage seeing that there was still some time for the sun to set and I was approaching the house. The army or police was nowhere in sight. Going past Garhi Shahu I took to the fields behind Chaudhry Shahabuddin's residence "Almumtaz" to reach my house. Just at that time my father had started leading the evening prayer. After a quick abolution I joined to thank Almighty Allah.

Martial law regulations issued to humiliate Indians: A martial law order required all Indians to hand over their cars and carriages to the military. This order, no doubt, was discriminatory but the basis of discrimination was not the officials and citizens. Were the basis to be the ruler and the ruled, it would still have been harsh but, on the surface, less humiliating. Instead it applied only to Indians. Europeans and Anglo-Indians were exempted. For instance, while an Indian deputy commissioner or commissioner was forced to surrender his car, or any other conveyance, and had to hire a tanga (horse carriage) to get to his office, the Anglo-Indian superintendent of his office could go by his car wherever he liked.

Sir Shadi Lal who in those days was a judge of the chief court (later he became the chief justice of Lahore high court) went in his car to the martial law office established in the Punjab Club and told the commander that since, as a judge of the chief court, he had to use his car in performance of his duty he should be exempted from the regulation. Col Johnson's reply was that he was not concerned with anyone's need. His only concern was to restore peace and to achieve that it was necessary that all cars and carriages should be impounded. And since he (Sir Shadi Lal) had come in his car he should leave it there. Sir Shadi Lal then said he would go back and send his car. Col Johnson said the car must remain there, he could go back to the court any other way.

I had a conveyance which moved on wheels and thus fell under the legal definition of a carriage. I told the syce to deposit it at the martial law post set up in the walled city after dropping me at the office. There a martial law officer curtly asked him why had he come there. To surrender the carriage, he submitted humbly. "Where was the carriage" he, asked. The syce pointed towards it. The officer looked at the carriage and angrily said: "is it a carriage? Take it away, we don't need it". Our gift, extorted though it was, thus rejected with contempt. Thus, whatever the quality of conveyance it remained available to us even during the martial law. Summer was heating up and hiring a conveyance was not easy. Syed Afzal Ali's office was more than two miles from Davis Road and mine more than three. Were we to go back to live in the house in the city life would have been unbearable because of the martial law restrictions.

Yet another political device used to keep the national leadership under pressure was that at the outer wall of the houses of the leaders who were suspects in the eyes of the government were affixed wooden boards on which were written martial law announcements for public information. Guarding the boards and notices was made a responsibility of the owner of the house. While during the

day someone could be posted to guard the board but it was well-nigh impossible to do that in the dark of the night. One such board was also hung at the house of Mian Fazle Hussain. He had arranged to so fix the board that it could be pulled up by rope. Thus, during the day the board was at a level where the passers-by could read the announcements, it was raised to 10 feet after sunset.

So stringent were restrictions on travel that no one ventured out unless absolutely necessary. One day as need arose for me to go to Daska, I obtained a pass. The journey up to Gujranwala was by rail and beyond by road. It wasn't necessary to enter Gujranwaia town but one had to pass through it to get to the railway station. To show the pass and get permission was therefore necessary. On return, I went to the martial law office where a British army officer was incharge. Some people were waiting there to get stamp of approval on their passes. It was midday in the month of the May and heat was at its peak. As my turn came I entered the room. The army officer without delay or hesitation verified and handed the pass back to me. Though I had lived in England for three years yet it weighed heavy on my mind that the officer, apparently a gentleman, was sitting stark raked in his chair with a small moist cloth placed below the navel. In such a state were appearing before him the men – and women as well.

Serious cases against leaders in martial law tribunals: For the breach of martial law regulations, the offenders were fined, imprisoned or whipped after summary trial. But to try the crimes allegedly committed before the martial law was imposed, tribunals were established. In a case before tribunal No.I, Lala Har Kishan Lal, Dr. Gokal Chand Narang and six or seven other eminent men, two among them Muslims – Sardar Habibullah Khan and Syed Mohsin Shah – were among the accused. Besides other offences, they were accused of inciting people to war against His Majesty's government. The punishment was death. The chairman of the tribunal was Mr. Justice Leslie Jones and the members were an

English sessions judge, Mr. Harrison, and an Indian sub-judge Sheikh Din Mohammad. The accused were all hand-cuffed. Among the government lawyers was Khan Bahadur Sheikh Abdul Qadir who was summoned from Lyallpur where he was public prosecutor.

Pleading before the martial law tribunal on behalf of Sardar Habibullah Khan and Syed Mohsin Shah: Tribunal No.1 was about to meet when Mr. Mohammad Hassan mentioned to me that the mother of Sardar Habibullah Khan was worried that since most Indian lawyers were wary of defending the accused before martial law tribunals, she had engaged Mr. Martin as her husband's counsel. Besides being very old, he wasn't well conversant with Urdu, an able junior lawyer must be engaged to assist him. Sardar Habibullah's brother, Mr. U. Karamat, conveyed the wish of his mother through Mr. Hassan that I should work with Mr. Martin as his junior. I said I was ready to serve in any capacity but since I did not have much experience of law practice, she should be engaging a more experienced lawyer. Mr. Hassan said she could trust me and, further, experienced lawyers were not inclined to take up the case as they were afraid of somehow getting implicated. She was prepared to pay any fee considered reasonable. I said because of my relationship with the family, I wouldn't suggest a fee but accept whatever she considered reasonable. After talking to her Mr. Hassan proposed a fee which I accepted without hesitating even for a moment.

*Lala Har Kishan Lal:*I was not personally known to Lala Har Kishan Lal. In the course of the proceedings, I came to respect him greatly. Brought to the court alongwith the other accused, he would quietly take his seat and read a book paying no attention to the proceedings nor showing any concern. His face betrayed no sign ever of anxiety. As far as he was concerned, it was merely a play and sheer waste of time.

Dr. Gokal Chand Narang: I had known Dr. Narang a bit. He was an able lawyer who had made a name for himself in the chief court. He was a prominent member of the Arya Samaj and also took interest in politics. During the riots in Lahore, his efforts to restore peace were well known. On an occasion or two, perhaps, he himself rode a police horse to stop and disperse a procession. Nevertheless, he was also among the accused. He showed great interest in the proceedings and explained from the evidence of the prosecution itself that the thrust of all his efforts was to support the police and cooperate with the authorities in restoring order. His own conduct, he asserted, was in no manner stained by anarchic activities.

The attention of the prosecution and the court was primarily focused on the accused who were believed to be encouraging rebellious behaviour. Sardar Habibullah Khan and Syed Mohsin Shah were mentioned for their presence in a meeting or addressing crowds. Mr. Martin's view was, and I agreed with him, that we should not argue or cross-examine unnecessarily and ask the witness a question or two only if it helped the accused, yet the proceedings took longer than we had imagined.

After some days Mr. Mohammad Hassan asked me whether I would be willing to act as counsel for Syed Mohsin Shah as well. Both would join hands to pay my fee to lessen the burden of Sardar Sahib. I gladly agreed. The court proceedings must have gone half way when Mr. Hassan again came up with a proposal that for the remaining period I should work at half fee. I agreed even to that realising that the case was becoming an unbearable burden for Syed Mohsin Shah. In addition to the stress and expenses, his legal practice, the source of his livelihood, had also come to a standstill. Though Sardar Sahib was not dependent on law practice for his livelihood the expense of litigation also worried him. At long last the proceedings came to a close and the tribunal sentenced Lala

Harkishan Lal and other principal accused to life imprisonment and their properties were also to be confiscated. One or two others were sentenced to rigorous imprisonment of ten years. Sardar Habibullah and Syed Mohsin Shah both were acquitted. Those convicted were also soon released. That very year the annual meeting of the Congress was held in December at Amritsar amid great fanfare. Though the British reign came to an end 28 years later, the events of 1919 had shown it a flickering lamp at dawn. Within two years the first installment of constitutional reforms came into force and Lala Harkishan Lal and Mian Fazle Hussain became the first two ministers of Punjab.

As lecturer in Law College, Lahore: In the summer of 1919 Mian Fazle Hussain called me over to say that after the vacations the law college would be appointing two lecturers – a Muslim and a non-Muslim and I should apply. The chairman of the college committee then was Sir John Maynard, financial commissioner, in his capacity as vice chancellor. Mian Fazle Hussain was the secretary. Sir Shadi Lal and Col Stephenson, principal of Government College, were the members. Mian Sahib asked me whether I expected support from any of the committee members. My reply was that Sir Shadi Lal had been praising my academic record and I could rely on his support. Mian Sahib smiled and said still I should see him to inform him of my candidature and I should also see Sir John Maynard only to tell him that I was an applicant. As for Col Stephenson I should inform him that I was a student of Government College and if no other candidate had a better record I would get his support. I did as I was told by Mian Fazle Hussain. Sir Shadi Lal's response was that there could be no doubt about my suitability as my record was exceptionally good.

Two weeks later I was called again by Mian Fazle Hussain and told me that the decision was to appoint me with only Sir Shadi Lal opposing. At the start of the meeting of the selection committee, Mian Sahib said, Sir John Mynard asked

him whether any among the candidates was exceptionally outstanding. Mian Sahib named me. Sir John then said: "should it be considered an agreed view of the committee"? Sir Shadi Lal's comment was that though I had good academic record, I lacked experience. Mian Sahib then intervened to say that I had five years of practice and I had worked with him as well and his opinion about me was very good. Five years before the interview I had topped in the LLB examination of the London University with honours. In his view, therefore my recent experience of the London University would be an asset. Col Stephenson said if Mian Fazle Hussain personally knew me and considered me the best candidate, there should be no hesitation. The committee agreed and the affair was settled.

Sir Shadi Lal, thinking that the committee would agree with him about the second vacancy if he were quickly to put forth his view, said that for teaching commercial law there could be no better candidate than Lala Har Gopal. He had appeared before him a number of times and he had found him suitable. Mian Sahib said in his opinion Chuni Lal Anand would be more suitable for he is a barrister as well as LLB from London University. Lala Har Gopal, he said, had been out of academic environment since long and he was educated in the country. In lecturing, eloquence in expression mattered a great deal. Unarguably anyone who had studied in England for three years and obtained a high degree would prove a better lecturer. He proposed that the committee should tell both candidates to report to the vice chancellor to select more suitable of the two. The committee agreed knowing that the VC would favour Anand. And that is how it happened. On the retirement of Mr. Chatterjea, Anand was appointed full time professor and when Kunwar Sen resigned he was made principal of the college. On both occasions Sir Shadi Lal suggested to me that I could be appointed. I submitted I was not interested.

When the vacancy of principal arose Sir Shadi Lal consulted me about getting an able man. I said the first requirement was to increase the pay as it is would be difficult to get a really able man in the present scale of Rs.750 – 50 – 1000. It should be raised to 1000-50-1250. He asked me whether I would be prepared to come in that scale if it was to be adopted. I thanked him saying I did not consider myself fit for the job and, secondly, I could not give up the practice, whatever its worth, and I had resigned even from lectureship for I could no longer spare time. In my opinion, I said, Mr. C.H. Anand would do well, if appointed.

Shifting of residence from Davis Road: In October 1919 the tenancy of the Davis Road bungalow expired and I returned to live again in Bazaar Judge Mohammad Latif. Syed Afzal Ali rented a house in the vicinity of Gumti Bazaar in Haveli Nawab Subhani. For the period I lived on Davis Road, Chaudhry Shahabuddin had let out his Bazaar Judge Mohammad Latif house to Sheikh Din Mohammad, member of the martial law tribunal. The work of the tribunal over, the house was once again vacant.

In law college, teaching of the penal code and Roman Law fell to my lot. There was nothing common between the two subjects but whatever was left after the old professors and lecturers had made their choice was disturbed between Mr. Anand and me. The penal code was an easy going both for the lecturer and students. With Roman Law the students were wholly unfamiliar. In teaching it I was greatly helped by the style of Prof. Morison of London University and notes of his lectures. For all of my five years (1919 to 1924), I taught these very two subjects.

Sheikh Ijaz Ahmad: Sheikh Ijaz Ahmad was the eldest son of Sheikh Ata Mohammad, (elder brother of Allama Dr. Sir Mohammad Iqbal). I knew his

father and had been a pupil of Allama Iqbal and later his junior in legal profession. Ijaz was a close buddy of Chaudhry Bashir Ahmad. When at the law college he requested me to spare some time to guide him in his studies. It was, therefore, arranged for him to live on the third floor of my office building.

Mr. Asquith: One day Chaudhry Shahabuddin introduced an Anglo-Indian gentleman to me to associate him with my work and later report to him whether his help had lightened my load. His name was Asquith. He had retired from the chief court as deputy registrar. In recognition of his service the judges had permitted him to practice law. That he did for some years. He was able and hard working, of humble disposition and gentle by nature. As he started working with me, he confided on his own that I should not trust him with money for he was most inept in handling it. It was on the complaint of a Christian organisation - Salvation Army - that his practice licence was forfeited. The pension not being enough of a subsistence, he had come to Chaudhry Shahabuddin who, in turn, passed him on to me. His wife was dead, he had two sons – the older the two was assistant in the directorate of public health and the younger was still at school. Mr. Asquith knew Punjabi well but his accent betrayed European influence. Any task given to him he would perform with care and speed needing but little correction. Soon I was persuaded to submit to Chaudhry Sahib that Mr. Asquith was punctual, hardworking and I was fully satisfied with his performance. On my report he was made permanent member of the establishment of the Indian Cases proving a veritable editing assistant. In no time our relationship grew into deep friendship. I felt so indebted to him that I had no hesitation in extending to him whatever help he asked for. Only once he requested for a small sum as a loan to which I instantly agreed. He made no such request ever again nor I asked for the loan to be returned.

Mr. Asquith's conversation was always interesting. He was well acquainted with the history of Punjab and of the chief court he was, so to say, a moving chronicler. He had worked with me only for a short while when he started pressing me to give more time to my practice to see it flourish as scope for able Muslim lawyers was ample. He would see me every day and find an occasion to express that thought. Once he told me that he often accompanied Mr. Justice Martinoeux on morning walks and on that particular day the high court bar had figured in conversation. The judge had observed that there were not many good Muslim lawyers and whether he had spotted any among the upcoming youth. The judge said he himself had noticed one fast coming up for the way he argued was very impressive. Asquith asked him whether he was more persuasive than even Aziz Ahmad. The judge's reply was: "No doubt Aziz Ahmad is more experienced but Zafrulla Khan's expression is better". Having told me that Mr. Asquith added "look, now that even the judges are talking about you, give more time to practice". (Mr. Aziz Ahmad was senior to me by many years and after practicing for a number of years at Rawalpindi had shifted to Lahore. Mr. Martinoeux had been sessions judge of Rawalpindi. The relationship between the two was old and cordial).

Pleading in Madras High Court and Mopla customs: In those very days Ahmadiyya Imam asked me to represent Ahmadis in a criminal case that impinged on its rights. In South India, a segment of the Muslim population called Mopla are descendants of Arab traders who had settled in Malabar and married local women. The Mopla Muslims, by and large, abide by the local customs and usage. The system in vogue there is matrilineal as it is in Cochin and Travancore. Moplas also follow it. A distinctive feature of this system is that the family inheritance and lineage run through mother rather than father. A woman goes out to marry and bring home a husband. Woman is also the head of the joint household. Though property and authority vest in men, son is heir to the

mother and not the father. On his death inheritance goes not to sons but his younger brother in his capacity as heir to his mother. If there is no younger brother, son of the sister becomes the heir. If there is no sister's son, heirship goes to mother's sister's son. And if there is none, the maternal grandmother's son, and if there is none, it goes to the eldest son of the eldest daughter of the mother of the maternal grandmother – and so on.

The Ahmadiyya community in Malabar has its presence at many places and continues to win new converts. A married Mopla youth was expelled by the brothers of his wife from the family when he became an Ahmadi. After obtaining a *fatwa* (religious edict) from the Qazi of Madras that on becoming Ahmadi his marriage stood dissolved, they gave his wife in marriage to another man. The deprived husband instead of approaching a civil court to assert his right that by joining Ahmadiyya community his marriage was not dissolved and his wife under the rule of Sharia remained his wife, filed a criminal complaint against his wife and her brother and against the man with whom the marriage rituals were held. The complaint was heard by a sessions judge who being a Madrasi Brahmin knew little of the rules of *fiqh* and the connected matters that were to be adjudicated. He ruled that since the beliefs of the majority Muslims differ from those of Ahmadis, the complainant could not be considered a Muslim hence, because of apostasy, his marriage stood dissolved. But even if that was not the case since the respondents had got her married for the second time in good faith by acting on the *fatwa* of a Qazi, it could not be construed as criminal act. The learned judge dismissed the complaint and acquitted the accused.

The power to appeal against acquittal lay with the government alone. The government's response was that since the basis of the dispute was the difference in religious belief, it would not be appropriate for the government to file an appeal. About revision, the ruling of a full bench was that high court would not

hear revision applications against acquittals. Since no other remedy was available, it was decided, nevertheless, to file a revision application. It was filed and I was appointed to pursue it. Arriving in Madras, I learnt that the hearing had been put off. So I went to Iskandarabad and put up with Abdullah Allahdin. Being a guest of that man of angle-like qualities was most rewarding. Hyderabad Deccan presented a glimpse of Mogul culture and lifestyle.

The revision was heard by a bench comprising Mr. Justice Oldfield and Mr. Justice Krishnen. Mr. Madhun Nyre, counsel for the respondents, was son in law of Sir Shankarn Nyre, once a member of the Viceroy's Executive Council. Later he became a judge of Madras High Court and still later a judge of the Privy Council. Mr. Edmis was the public prosecutor. Justice Oldfield asked Mr. Edmis about the government's stand. He said he had instructions to be neutral. Justice Oldfield then remarked that though it was appropriate for the government not to take sides in religious disputes, the important question remained whether the view of the sessions judge holding that if the respondent had acted in good faith his action could not be called criminal was valid or not. The public prosecutor's reply was that even on that question his instructions were to remain neutral. Justice Oldfield then observed, that in that event, his presence or absence at the hearing did not matter. Mr. Edmis sought the leave of the court and left.

As I stood up to argue, it occurred to me that the very first objection of the respondents would be against the admissibility of revision against acquittal in view of the full-bench ruling. However no such objection was raised. Thus what I thought would be the biggest hurdle did not arise at all. Dealing with the basic issue posed no difficulty for me. As I argued, the senior judge would observe it was correct or made sense and thus kept encouraging me. But when I argued that good faith was irrelevant, the judge intervened to observe that the point was clear needed no discussion. Lastly, he asked me were he to hold that the judgment of

the sessions judge was wrong and could not be sustained and, under the civil code, he was not empowered to pass a sentence, he could only order that the case should be heard afresh, would I still insist that the case should he heard again? I submitted that it was not my intention to get the accused convicted but to defend the rights of the plaintiff. That purpose served, I would not insist on the criminal culpability of the accused. It would lie enough if the plaintiff's marriage was maintained and the second marriage held invalid. The High Court passed an order on those very lines. In course of arguments, the judgment of the Patna High Court was a source of strength.

The question of Ahmadiyya apostacy raised in other courts: The question of Ahmadis being apostates was raised in various courts a number of times. For the first time, perhaps, it came up before a court about the custody and imamate of the main mosque of Sialkot cantonment. When Maulvi Mubarak Ali's right to stay on as custodian and imam of the mosque was challenged in a civil court after he had joined the Ahmadiyya movement, there was no Ahmadi lawyer in Sialkot – even my father was not. He was chosen counsel for Maulvi Mubarik Ali. Lala Dhanpat Rai was the judge of the court of first hearing. He held that Ahmadis were Muslims and rejected the suit. The plaintiff had filed an appeal in the Divisional Court of Mr. Chivas who later became judge of the chief court. He maintained the judgment of the lower court. The plaintiffs went in appeal to the chief court which ruled that since the suit was not filed within six years of Maulvi Mubarik Ali joining the Ahmadiyya movement, it was time-barred and the appeal was dismissed. The chief court however gave no decision on the religious belief of the respondent, its judgment, therefore, did not constitute a precedent on the real basis of the dispute.

In 1917 when one Sirajuddin joined Ahmadiyya community, his wife filed a suit for annulling marriage on the ground of her husband's apostacy. The

attorney for the woman was Maulana Abul Wafa Sanaullah, editor of *Ahlehadis* and Dr. Saifuddin Kitchlu, barrister at law was her counsel. The suit was heard by Mr. Seymor, sub judge first class, Amritsar, while I defended the respondent. One among the witnesses of the plaintiff was Maulana Abdul Ahad Ghaznavi (father of Maulana Ismail Ghaznavi) who testified his written *fatwa* on the subject that read: Mirza of Qadian is a *kafir* (infidel) and all his disciples are also *kafirs* and any one who doubted their *kufr* (infidelity) was also *kafir (Mirza Qadian kafir ast wahama muridane okasfir anan. Waharke dar kufr ishan shak asad ohain kafir ast)*

> Zafrulla Khan: Maulana, If a person does not consider that person a kafir who has doubts about the kufr of Mirza Sahib's disciples, what would be your opinion about him?.
>
> Abdul Ahad Ghaznavi: He, too, would be a kafir.
>
> Zafrulla Khan: What will you have to say about a person who has doubt his kufr?
>
> Maulana Sahib: He, like him, would also be kafir.

On that the sub judge remarked "Lo, all have been made kafir and story ends".

Maulana Sanaullah's evidence: Some Ahmadi scholars also appeared to testify that their belief strictly conformed to Islam and rebutted the allegations of the witnesses. Some other Muslims also appeared to testify that the practices of Ahmadis exactly conformed to the tenets of Islam and, this, they viewed them as

Muslims. Among them were barrister Mirza Badruddin and Sardar Mohammad Akber.

The evidence of the witnesses over, I requested the court to examine the plaintiff's attorney, Maulana Sanaullah, as witness from our side. On that Maulana said: "I have not been summoned". I told him since he was present in the court, summoning him was not necessary. "Still I must get money for food", Maulana insisted. Being present in court, I said, he was not justified in demanding the food money but I would still not contest it. "Here are three rupees, kindly accept and speak the truth". As Maulana stood up to depose I took out of my pocket a copy of his newspaper "Ahlehadis" and drew his attention to a note and asked him whether he had written it. He acknowledged it. I asked him if it was correctly printed. He said indeed it was. I produced that paper in evidence. It read as follows:

"Someone has asked me whether I, in conjunction with Anjuman Ishaat-e-Islami, Lahore, had established an organisation for the propagation of Islam and if, as a result of its proselytising activities, a non-Muslim became a Mirzai (Ahmadi) whether in my view he would be a Muslim. The answer from my side is that being a Muslim has two aspects. One is salvation in the hereafter and that is known only to Allah Almighty and decision lies with Him alone, I have nothing to say. The second is common parlance, in that aspect I consider every kalimago (anyone who believes in the first tenet of Islam, i.e. there is no God but Allah and Mohammad is His messenger). Since Mirzais are kalimago, no objection should arise".

As Dr. Kitchlu wanted to put a question, the judge observed that as the respondent's counsel had sought only confirmation of a document and had asked no questions about its contents, he (Dr. Kitchlu) was not entitled to cross-

examine him. If he had anything in his mind he should say it in the final arguments, and rose for the day. The session lasted for some hours. As the judge and the counsels, all looking tried, came out of the court room, Maulana Sanaullah holding three rupees in his hand. Rattling the coins, he said he had always had something to get from Mirza Sahib. After hearing the arguments, the Judge, relying on the judgment of Patna High Court and the evidence produced, dismissed the writ holding that the respondent's marriage did not stand dissolved. The order ws later upheld by the additional district judge, Amritsar.

Criminal complaint against Hazrat Maulvi Faizuddin: A criminal complaint alleging embezzlement was lodged against Maulvi Faizuddinof Sialkot city known for his angelic qualities. For generations, his family had occupied a position of distinction in Sialkot for commitment to learning and knowledge. He was one custodian of two big mosques of the city – one of the two was situated on the main road and in its compound was the grave of a saint. In an adjacent street there was a shop underneath the mosque. The second and larger mosque was situated on a street at some distance from the road in front of the house of Maulvi Sahib. In the left part of its compound was a graveyard while the right side was open. A little farther were a few old hutments - one of them had an oilseed crusher. Maulvi Sahib conducted prayers in this mosque. Both mosques went by the name of *Kabootranwali* masjid or mosque of pigeons. The mosque on the road was referred to as the "Outer" and the one in the street as "Inner".

The complaint lodged against Maulvi Sahib was based on a false allegation that an awning and some other articles from the outer mosque had been misappropriated by him. The whole city knew that the allegation was wholly baseless and the objective was only to harass Maulvi Sahib. Finally, a compromise was reached on an understanding that Maulvi Sahib would give up the custody of the "Outer" mosque and the attached shops to a custodian to be

named by the complainants and the custody and imamate of the inner mosque will continue to vest in Maulvi Sahib. It was acted upon. A pump was installed by the Ahmadis on the well of the inner mosque. Troughs, abolition room and a porch were also constructed. In the space vacated by the hutments and the oil mill a guest house and later a school for girls were built with due permission recorded in the municipal office.

No objection was raised during the lifetime of Maulvi Faizuddin but soon after his death, in 1926, obstacles were put up to stop Ahmadis from praying in the mosque and an application was also filed under Sec 145 Cr Pc contending that the Ahmadis had no connection with the mosque. It was alleged that from the very day Maulvi Faizuddin became an Ahmadi the complainants were in possession of the mosque but Ahmadis had been trying to occupy it by force. The application was summarily dismissed advising the complainants to seek remedy in a civil court.

When the civil suit was filed I was chosen to defend it. No legal point was raised in the petition, only the facts were to be determined. That the dispute was rigged up was known to every child of the city. Even the petitioners and their witnesses admitted outside the court that the Ahmadis were in possession of the mosque since 1904. The suit was heard by senior sub judge, Pundit Aunkar Nath Zatshy. One witness after another appeared to narrate his rigged up version, the sub judge could not help but express disgust. I knew most of the witness personally. Outside the court whenever I expressed amazement on their blatant lies, they would just laugh it away saying it was not lying but a device to uphold truth against falsehood only to earn God's favour and not for personal benefit. In the bar room and in other gatherings their action was condemned and even the respectable people, not belonging to the community, also blamed the petitioners

persuading them to withdraw the petition on the condition that they will not be burdened with the expense of litigation.

A suit in the court of Mohammad Akbar Khan, district and Sessions Judge, for annulment of marriage: Some years later a suit was filed in the former state of Bahawalpur involving the question of apostacy and annulment of the marriage on husband joining the Ahmadiyya community. In all the courts going up to the high court of the state the suit was dismissed in view of the ruling of Patna and Madras high courts. On behalf of the plaintiff (wife) a petition was made to the prime minister of the state Khan Bahadur Nabibux Mohammad Hussain. The prime minister holding that the judgments of the courts of British India were not binding on the state, and also because it was an issue of Sharia, set aside the order of the state high court. He directed that the suit should be heard afresh by the district judge. The case assumed the dimensions of a religious battle.

Pleading for the defendant (husband) was my younger brother barrister Asadullah Khan. Some Ahmadiyya scholars were examined on their beliefs. In the course of the evidence one of the two constables on duty joined the Ahmadiyya movement. At one stage when Asadullah Khan put question to a witness deposing for the plaintiff, the judge put his pen down saying that he would not bring the answer on record as it would be an insult to the ruler of the state – and that he dare not do. Asadullah Khan submitted that it was evident from the reply of the plaintiff that her contention was utterly false and the viewpoint of the witness was wrong but in no way implicated the person of the ruler. The judge, nevertheless, remained adamant that he wouldn't record the reply. That particular witness had deposed that since Ahmadis, as a community, were infidels no Muslim woman could get married to an Ahmadi and if a Muslim woman indeed became the wife of an Ahmadi she would be guilty of adultery.

Asadullah Khan asked the witness whether he was aware that an aunt of the ruler was married to Khan Abdul Hamid Khan who was the eldest son of Khan Bahadur Abdul Ghafur Khan of Zaida and had children. On a reply in the affirmative, Asadullah asked him whether he knew that at the time of his marriage Khan Abdul Hamid was Ahmadi and still was.

That is when the district judge had observed he would not record the answer for it was slighting His Highness. Asadullah Khan said his intention in putting the question was that, keeping the judgments of the Patna and Madras high courts aside, even the ruler and the scholars advising him had ruled that the members of the Ahmadiyya community were Muslims otherwise the marriage wouldn't have taken place. The judge thought that bringing replies to the questions would be an insult to His Highness. Though the insult in fact would have been in assuming that he had committed an act contrary to the rule of Sharia.

Getting relieved from the Indian Cases: Since practice in district courts did not suit my temperament, I had become somewhat wary when I started working on Indian Cases. In correspondence with Chaudhry Shahabuddin it was implied that as long as I worked on Indian Cases I will not practice. However, after shifting to Lahore the court work attracted me. I was yet to appear in high court when Ahmadiyya Imam entrusted to me a very impartment case in Patna High Court and later at Amritsar. Then he had also asked me to pursue a matter related to his person (though the advice to him was to appoint either Mian Mohammad Shafi or Mr. Tampon) and a case in Madras High Court as well. Chaudhry Shahabuddin also did not want me to restrict myself to Indian Cases and take up court work if it came my way. He himself rarely took up court cases but whenever he did he would work extremely hard and also asked me to help. That way I learnt a great deal.

In a suit, Sardar Mohammad Ali Khan Kizilbash questioned the validity of the will of Nawab Sir Fateh Ali Khan Kizilbash after his death, Chaudhry Shahabuddin was his counsel. He made me join him as his adviser. In 1922, communal riots broke out in Amritsar. An important case involving Muslims was heard by Mr. Bourne. Chaudhry Shahabuddin advised Mian Mohammad Sharif, a leather merchant of Amritsar, that I should be engaged as senior defence counsel. Mian Mohammad Sharif paid most of the defence expenses out of his own pocket. As my practice grew I stopped going to the office of Indian Cases. Chaudhry Sahib agreed that I should attend only to the work that was sent to my house.

The feelings of a responsible lawyer: I have already mentioned how Mr. Asquith often persuaded me to pay greater attention to the court work. My maternal uncle Chaudhry Abdullah Khan of Data Zaidka was the first to refer to me a case for the chief court. That introduced me to the court regulations. Some years later the same uncle provided an occasion to me to take up a case in the sessions. It was the first time that I had to defend the accused in a murder case all by myself. From the viewpoint of responsibility, I realised, the civil suits and murder cases were miles apart. The noose tightening, or loosening, around the neck of a man is an hair-raising, frightening reality. Though it is the accused – guilty or innocent – who carries life on the palm of his hand, in the court drama it is the defence counsel who occupies the central position. He has to be conscious all the time that a human life, or many lives, to a large extent depend on his knowledge, wisdom and self-control. Though he knows that the outcome lies in the hands of God but alongwith the accused his own life is also in a vice.

At the appeal stage, such a feeling is not that intense for the proof, or rebuttal, of events belongs to the past and the arguments are only on the authenticity or analysis of the evidence. In the sessions, a great deal depends on

the cross-examination of witnesses. Sometimes an unnecessary, or irrelevant, question can send the accused to the jaws of death or neglecting to put a question can strengthen the presumption against the accused. In the course of proceedings there is little time to think or to ponder.

My first sessions case: In my first sessions case eight accused, all cousins, were charged with the murder of their uncle. The dispute was over the cultivation of land. The deceased, being an elder of the clan, was stern in dealing with his nephews. On one such occasion the deceased accompanied by his sons came to the well of the accused and stopped them from operating it. He cut the bucket chain of the Persian wheel and with that the whole irrigation equipment fell in the well. Alongwith his sons, he attacked the accused. To save their lives they too picked up whatever stick came their way to confront the attackers. In the melee the uncle was hit in the head. As the tempers on both sides cooled, the sons took their father home and tried to nurse him. The cow dung was lit and ash put on his wounds. He was made to drink hot milk reinforced with butter oil. The nephews begged forgiveness. The old man forgave them and counselled both sides to live in harmony.

The police came to know of the incident and asked the old man about the incident. Incensed, he said it was common for brothers to quarrel, they had no grouse against each other, the police had no role and they did not want to suffer the indignity of making rounds of the court. The police were not needed and requested them to leave. On the third day, injuries of the old man oozed out blood and he died. The case was lodged in the sessions court and I went from Lahore to Sialkot to defend the accused. Lala Manna Lal was the sessions judge and Chaudhry Mohammad Amin was the public prosecutor. On behalf of the accused present on the scene, in cross-examination I started to lay the foundation of self-defence based on the prosecution evidence. My argument was greatly

helped by the fact that the deceased accompanied by his sons had gone to the well in rage to reprimand the accused, had cut the bucket-chain and were the first to attack. Were the accused to be at fault the old man would not have forgiven them that easily. Since the version of the accused was borne out by the evidence of prosecution I produced no evidence in defence. As a result, the public prosecutor spoke first and I had the benefit of saying the last word.

Being in no hurry to return to Lahore I stayed on in Sialkot as guest of Sheikh Ijaz Ahmad. There I saw in a dream that the sessions judge wearing a shirt and loincloth was lying in bed with face down, restive and groaning. I narrated the dream to Sheikh Sahib adding that the obvious interpretation was that the judge was perplexed and proving true to his name (in Punjabi dialect "munna" is taken to mean three-fourth) he may acquit six accused and sentence two to a few years of imprisonment for exceeding the right of self-defence.

The judgment was delayed for a while. I come across the reader of the judge and asked him when to expect the judgment. He said it was hard to say for the judge had dictated and changed it. The state of the judge's mind, I told my host, seemed to be the same as I had seen in the dream. As the judgment was announced, six of the accused were acquitted and two sentenced to five years' rigorous imprisonment. It was viewed as a success. By coincidence, I came across Chaudhry Mohammad Amin that very day. He said he would arrange for me to earn more fee for, in his opinion, the judgment was totally wrong and he would be advising the government to file an appeal. I mentioned it to my uncle who was on friendly terms with the clan of the accused and the deceased.

The village of the accused called Unchajajja was situated just two or three miles from Data Zaidka and he wished them not to suffer further. He asked me what could be done to stop the government from appealing. I said one way

would be to file an appeal without delay in behalf of the convicted accused in the high court. But since I did not know the facts on which the finding was based, a more accurate opinion about the appeal succeeding could be formed only after perusing the judgment. Thus, even if the appeal were to be rejected the order of the sessions would stand confirmed by the high court. And if the government were subsequently to file an appeal it would bear no fruit. If we were to file an appeal forthwith it would come up for hearing within six weeks. The government had six months to appeal. The public prosecutor would send his opinion to the deputy commissioner who, if he agreed, would send the papers to the commissioner and if he also agreed he would pass the cases on to the legal remembrance who, in turn, would consult the state counsel whether or not to file an appeal. Our appeal would be decided before all this process came to a conclusion. Following my advice an appeal was filed. On perusing the order of the sessions judge, I was satisfied all the more that the appeal would be accepted as the sessions judge had summarily assumed that the accused had exceeded the right of self defence. But that assumption was not enough to hold them guilty. If some had exceeded the right of self defence, it would be necessary for the judge to determine which particular injury, or injuries, was excessive and to whom it could be attributed. I pressed this very objection in the arguments. The accused were acquitted leaving no room for the government to appeal.

In my practicing career, I handled 16 sessions cases. By Allah's grace success was complete in 14, in one, 13 out of 16 accused were acquitted, one was sentenced to hanging and two to life imprisonment. In the second, the accused were imprisoned for life.

Khan Bahadur Abdul Ghafoor Khan of Zaida, Sessions Judge: The judges before whom I have had the occasion to appear, two among them bore their own mark of distinction. One was Khan Bahadur Abdul Ghafoor Khan of

Zaida. In his court the work did not proceed apace fast but with extreme circumspection. Neither the accused nor the counsels ever had an occasion to complain. The burden of proof, not in legalistic terms alone but in fact also lay on the prosecution. The accused were afforded every facility and benefit of reasonable doubt given to them. The judge was endowed with keen intellect and generous disposition. Though held in awe, the counsels still felt free in performing their duty and he never lost his cool.

In my first case, arraigned before him were two accused – Sardara and Khushia. I was counsel for the former. To defend the latter, on my advice, my pupil and old friend Lala Partap Chand Puri was engaged. Sheikh Ata Mohammad, elder brother of Sheikh Din Mohammad (a judge of the high court), was the state counsel. In studying the case papers I noted that death of the deceased was caused by the blow of a baton on his forehead which broke the bone encasing the brain. The emphasis in the prosecution evidence was that Sardara had inflicted blows with an awesomely heavy axe to the head of the deceased. The middle of the head of the deceased also bore a cut by a sharp-edged weapon and a few drops of blood oozed out. The cut was, however, superficial and mild. As the court assembled, I made a petition for the civil surgeon to be summoned for further cross examination. The state counsel objected to the civil surgeon being recalled once he had been examined and cross-examined in the magistrate's court.

Sessions Judge: Listen, learned counsel, am I empowered to summon the civil surgeon or not?

State Counsel: Indeed you are but the exercise of this power has to be based on some principle but none had been cited.

The defence counsel wants elaboration of the surgeon's evidence, observed the judge, and proceeded to direct the reader to call him the following day.

My cross-examination of civil surgeon: Sardara was hulk of a youth who, indeed, led a gang in the village but the fact generally known was that he was not present at the scene of this crime which tempted the prosecution to assign to him a major responsibility in the murder. When the civil surgeon appeared I enquired from him which particular blow had caused the death. "Blow on the forehead" replied the civil surgeon. "What kind of blow was that" I inquired.

Civil Surgeon: It was inflicted by a blunt weapon which split open the bone under the forehead resulting in death.

Zafrulla Khan: Did the head of the deceased bear the mark of a blow caused by a sharp-edged weapon and if it did what kind was it?

The civil surgeon explained that there was indeed such a blow but slight and only skin-deep. Some blood had also flowed from the cut. At this stage I asked Sardara accused to stand up. He heaved himself up dropping the blanket wrapped round him. Edging out of six feet with a broad chest he was the very image of manly prowess. I implored the civil surgeon to look at the man and the axe and say whether this giant of a man striking in rage with the sharp or blunt side of an axe could have caused the type of injury found on the skull of the deceased.

Civil Surgeon: Had this accused struck the axe at the head of the deceased even with moderate force, the bone at the point of contact would have been blown to smithereens. Though injury to the head of the accused was superficial and slight and injury to the forehead was severe, yet the bone had split apart making it obvious that none of the blows was inflicted by the axe in question.

It could be also clearly inferred from the oral testimonies that Sardara was not present at the place of incident. When the trial reached the stage of arguments, I made a submission to the judge that the statement of the civil surgeon which had been recorded in English may be translated into Urdu for the benefit of the assessors. The judge instructed the reader to read out the Urdu

translation to the assessors. The reader had read but a few lines when the judge stopped him as the medical terms were pronounced all in English. The judge then informed the assessors that the essence of the civil surgeon's statement was that Sardara accused had not struck the deceased with the axe in question.

After the state counsel and I had concluded our arguments, the judge addressed the assessors thus: "It is customary for a judge to summarise the evidence and law for the assessors at the end of arguments but the impartial content and clarity of the speech of the defence counsel, just concluded, left no room for me to say more. Now please state your respective opinions."

Assessor No. 1: Sir, from the statement of prosecution witnesses and medical evidence it appears that the Sardara did not participate in the commission of the crime.

"What about Khushia", the judge inquired. "He seems to have been present there", the assessor responded.

Sessions Judge: Look whatever the evidence against Sardara it is also against Khushia. If he (Sardara) was not there, Khushia couldn't be there either.

The assessor persisted in his view that Khushia, seemingly, was there. The judge acquiesced. The other three assessors endorsed the viewpoint of the first one. In a verdict delivered two days later in the court's sitting at Jhelum both the accused were acquitted. Besides Sardara and Khushia, three or four other persons were also indicted but were absconding. Khushia's plea was that he was not present at the occurrence. It was later learnt that the assessor No. 1 had gone to the scene at Mandi Bahauddin a few hours after the occurrence and had learnt that Sardara was not involved but an attempt was being made to rope him in. Very likely he conveyed this information to the other assessors.

Before this case, I had come across Sardara in Lahore where he had engaged me as his counsel in a civil suit. Then looking at his hulk and demeanour I had jokingly remarked to him that were he ever to face a murder charge the judge going by his demeanour would be inclined to assume him guilty. A few

months later the incident narrated here took place and when the trial in the sessions commenced I got a message from him that he had indeed been implicated and I should defend him.

The Khan of Zaida did not hesitate from expressing his opinion even in the course of proceedings. Briefing the assessors after the evidence was recorded and the counsels had submitted their arguments, he would give unrestrained expression to his views. In one sessions case (I wasn't a counsel in that) against three accused – a woman, a youth and a grown-up man – the judge addressed the assessors thus : In this case the three accused are charged with murder. One of them is a woman. You know as all of us do and Ghandiji has also said that it behooves a woman to stay at home and spin the wheel. What after all is a woman's concern with the squabbles of men? Why then has the police charged her? You notice she chatters a lot. It seems even during the investigation she so pestered the police by her incessant blabber that they were driven to suspect that she must have been involved in the commission of the crime, and thus she has been arraigned. As for the second accused, he is a mere child. How could he be involved in murder? The evidence is however strong enough against the third for having killed the deceased. Now, murder is of two kinds – one major, the other minor. The major murder is when a person wants to kill another person and kills him. The minor murder is where he does not want to kill but death, nevertheless , occurs. Here, no evidence has been led to show that the accused intended to kill the deceased. Thus he has not committed a major murder. Now it is for you to state what offence has he committed?

Thus harangued, the assessors had little choice but to say that it was a minor murder.

Mian Ehsanul Haq, Sessions Judge: The second most distinguished sessions judge in the profession then was Mian Ehsanul Haq. In the days I practiced at Sialkot, he was public prosecutor there. Then he became a sessions judge. I conducted three cases at short intervals at his court in Cambellpur. He

would prepare exceedingly well before starting the proceedings right on time, work fast but most attentively. Prolonging examination of witnesses was not my wont either. In studying the case file I would identify parts of the prosecution evidence which, if corroborated, would lend support to my objective. I would then confine my questions to the witness only to those parts. The judge liked this approach redounding to my advantage. In all three cases the evidence and arguments ended in three to four hours. The verdict instantly followed.

Appointment of Syed Afzal Ali in Income Tax Department: At the end of the First World War when the Punjab Government decided to wind up the publicity department, Syed Afzal Ali had to look for a job anew. Just about that time the Government of India decided to create a separate department for income tax and called applications for income-tax collectors and inspectors. I advised Syed Afzal Ali to apply for the post of collector. Sceptical about his selection as collector he was worried that by pursuing it even the post of inspector might slip out of his hand. I insisted on his applying for the collector's job because, besides possessing a master's degree, he had held responsible positions in the publicity department at respectable remuneration. His departmental superiors would also have been amenable to recommend him forcefully. He did not agree and applied for the Inspector's post.

In those very days the second Imam of the Ahmaddiya community visited Lahore. By then Syed Afzal Ali had received a call from Simla to appear before Mr. King, financial commissioner. Though known to the Imam, he was hesitant in making a direct overture to him to pray for his success. Instead he persuaded me to speak for him. I did that in his presence and got a most indulgent and affirmative response. Syed Afzal Ali went to Simla on the appointed day and reported on return that Mr. King regretting that the posts of inspectors had been all filled. It caused distress to Syed that he had been subjected to inconvenience and expense of journey only to be so informed. Nevertheless, as he begged leave, he saw Mr. King chuckle and say that all posts

of inspectors were filled but if he (Syed) was willing he could be appointed against a collector's post, later redesignated as income tax officer. Thus, Syed Afzal Ali became income tax collector and posted to Rohtak.

To plead in a case soon after that took me to Rohtak where I stayed with him. Before sunset when we both went for a walk I observed his orderly closely trailing us. I suggested to my host that we should go back for his "collectorship" was keeping us under surveillance, while I needed the company of Afzal Ali with no concern for income tax collector. He explained that the orderly followed him on his own and he did not stop him for it would have disheartened him. Now he would send him back for he had my company. I enquired as to how was he faring in his new assignment. He said since he did not know the law, he had to bank entirely on the contentions of the lawyers. His predicament was that the pleadings of the lawyer first to make submissions impressed him. The opposing lawyer in his counter-arguments neutralised that impression. On the conclusion of the pleadings, he was inclined to agree with the lawyer who spoke last. I told him that in course of time the awe of the lawyers would vanish. He said the pleadings of the lawyers had the advantage of satisfying him that whatever the opposing sides had to say had been heard. In the absence of lawyers, it would be difficult to adjudicate. When the plaintiffs bemoaned that the presiding officer's children would romp naked or die of hunger (if the tax was imposed), his first thought was that by such pleadings the plaintiffs were casting a curse on him. It later dawned on him that they, in fact, referred to their own wives and children in this manner only to highlight the hardship that they would suffer if the tax was not scaled down.

Admirable qualities of Syed Afzal Ali: Syed Afzal Ali set enviable standards of integrity, competence and dedication to duty in his department. He earned for himself a good name and was promoted assistant commissioner within a few years. Had he lived he surely would have become commissioner but death did not spare him and 30 years ago he passed away. Our friendship going back to

early childhood lasted to his last breath. Never, not even by a lapse, ever arose between us any misunderstanding. He was older in age by two or three years. With me his treatment was a combination of indulgence of an elder and obedience of a younger brother. His amiable disposition and a heart free of malice alone were responsible for sustaining our relationship. No quality in me contributed to it. Though dead for more than thirty years , not for a moment has his memory faded from my mind nor has a day gone by where I omitted or neglected to pray for his departed soul. He was a man of great virtues. Humility, modesty, hospitality, bashfulness were the hallmarks of his personality. He was well-read and a thinker of high merit. A collection of his essays "Takhelliyat" had won plaudits from distinguished writers.

Participation in Central Assembly Election:The second election to Punjab Council was held in 1923. I wasn't at all keen to contest. Chaudhry Shahabuddin who had been elected to the Central Assembly in 1920 was now desirous of joining the Punjab Council. His original native home was also in Sialkot district. He mentioned to me his wish to get elected from Sialkot. I told him that I was not keen but I would be compelled to obey if the advice of the head of the Ahmaddiya Community was to the contrary. Chaudhry Shahabuddin wrote to Mirza Bashiruddin Mahmud Ahmed seeking his consent to contest from Sialkot. He replied that since Zafarulla Khan had already agreed to it he too will but the understanding would hold good only for that election and not for the elections to come. About me he remarked that since he was diffident in assuming tasks involving public responsibility his inhibition should be broken by contesting for the membership of the Central Assembly from the constituency comprising Lahore, Amritsar, Gurdaspur and Firozpur districts. From this constituency with urban voters predominant, three candidates were in the field. Sheikh Sadiq Hassan was the candidate from Amritsar. Besides family and business connections, the city had a sizeable Kashmiri electorate. The situation in Lahore was no different. Generally, his success was forecast. Alongside, he

obtained an edict from some religious scholars and had large posters stuck on walls of every town proclaiming that Zafrulla Khan being a Qadiani, is an infidel hence voting for him would be impermissible. This activity attracted the mischief of election rules and could have had the effect of making the election void. Sheikh Sadiq Hassan was elected. I polled the second highest vote.

The posters disseminated by Sheikh Sahib however had given rise to a point of principle which could be settled by invoking the jurisdiction of the election tribunal to hold the polls void. On hearing of the petition, Sheikh Mohammad Sadiq, younger brother of Sheikh Sadiq Hassan, came to Lahore imploring me not to pursue the petition. I made no commitment to him and instead I reported a gist of his talk to the Imam, Mirza Mahmud Ahmad. His response was that Sheikh Mohammed Sadiq's assertion that the posters were not published at his behest was, on the face of it, incorrect. Again, to say that pamphleteering was a frivolous activity on the part of some people amounted to ridiculing serious issues which must be deplored. Yet his entreaties showed it had dawned upon him that his wrong actions might annul election. His anxiety only arose from the knowledge that what he had striven so hard to attain seemed slipping out of his grasp. Yet he had said or done nothing to convey that he repented his improper activity. Nevertheless, when he journeyed all the way to Lahore on behalf of his elder brother, and quite obviously on his direction, it was a manifest demonstration of his remorse. Then, the advice continued, he had also been with me (Zafrulla) in England and the relationship had been cordial. My response therefore should be indulgent. Following this advice, I gave up pursuing the petition.

Arrival of the Prince of Wales in Lahore and presentation of a book to him on behalf of the head of the Ahmaddiya community: During his tour of India in 1922, the Prince of Wales (now Duke of Windsor) also visited Lahore. Mirza Mahmud Ahmad on behalf of his community compiled a gift for him in the shape of a book in which he mustered arguments on Islam being a true and

enduring faith, compared its teaching with Christianity (as presently practiced) and invited the Prince into the fold of Islam. The book written in Urdu was sent across to me with a direction for its translation into English. Those were busy days for me. Time for translation could be found only in the evenings. As I translated, the manuscript was typed alongside. The translation was completed within the time limit and was ready for publication within two days. When I saw the Imam, he observed that it had escaped him then to tell me that the English narration should be in Biblical style. I submitted I had so inferred from the content of the original manuscript and had tried to cast the English version in the pattern of the gospels.

In the review of the manuscript, besides the Imam, Mirza Bashir Ahmed MA, Moulvi Sher Ali and Master Mohammad Din participated. The group would assemble soon after the morning prayers and remain closeted till late in the evening interrupting its sessions only for Isha prayers and meals. Though the volume of work was overwhelming and the nature of assignment was exacting both in concentration and care, there was not a dull moment nor was fatigue felt in a company that was noble and a preoccupation that was inspiring. The cheerful disposition of Mirza Mahmud Ahmed was contagious for his lieutenants. The book was ready in time. Its special edition in a silver casket was presented to the Prince of Wales.

Forty years later during the seventeenth session of the General Assembly of the United Nations of which I was the President, I was hurrying to my room when I observed the director of the legal affairs of the UN engaged in conversation with another person. I tried to edge past them when he extended his arm to stop me to introduce me to the person he was talking to – His Royal Highness the Duke of Windsor. I mentioned to him that I had the honour of meeting him on his visit to India. The Duke said he had pleasant recollection of his visit to Lahore. I said I had the privilege of translating into English the book which was presented to him by the Ahmaddiya community. "That book is still with me" was his unhesitant and spontaneous response of the Duke.

My appointment as head of the Ahmadiyya community for Lahore: When a schism split the Ahmaddiya community at the inauguration of its second succession, my father then was the president of the community at Sialkot. On return from England, I too, had for a while acted as its auditor. In the early years of his succession the second head raised the status of the office of the president in some districts to that of an "Emir". The first to hold that office was Khan Sahib Maulvi Farzand Ali Khan. Soon after that Mirza Bashiruddin Mahmud Ahmad came to Lahore and stayed at Ahmaddiya hostel on Empress Road. My father also came over from Qadian and my uncle from Data Zaidka. On return, somewhat irked, my father talked of my not having gone there that evening and said that the Imam had invited suggestions from the members of the community on the appointment of Emir for Lahore. The uncle quickly interjected to disclose that after consultations he decided to appoint me as Emir. "Though in your favour was but a solitary voice," added my father.

A brief account of some sincere Ahmadis of Lahore: I had arrived only recently in Lahore and was much younger than most active members of the community. In piety and prayer, in knowledge of Quran and submission to Divine will, in character and conduct, in hospitality and sociability, in service to the community and in spiritual commitment. In short in every attribute a number of elders stood on a much higher pedestal. I was of no consequence nor could I lay claim even to their class. Mian Chiraghuddin was an elder of a high standing and a number of his family members were men of great distinction. Hakim Muḥammad Hussain Qureshi, inventor of "Mufreh Anbri" (a tonic), was a devout, God-fearing man. Syed Dilawar Shah was another devoted volunteer. Babu Abdul Hamid, auditor, was sincere, punctual and consistent in his labours. When suggestions were invited for the appointment of the Emir, as was expected, most voted in favour of Qureshi Dilawar Shah. I was in no reckoning. The wonder was that even one man stood up for me.

Some instructions of the Imam for the Emir: The head of the community conveyed to me certain instructions which, summarised , said : The Emir should keep an eye on all individual and collective aspects of the welfare of the community and guide it in matters which have to be decided by the community as a whole, consensus should be evolved through consultation avoiding rifts; where unanimity is not forthcoming, the majority view should prevail; Emir should base his decision on consensus or on majority but where he finds that acting thus would be contrary to the interest of the community he may over-rule such view but report to the centre the reasons for it; the members would be responsible to the Emir who, in turn , would be answerable to the central organisation.

Meeting of non-Ahmadi scholars in Qadian: In 1921, certain scholars belonging to the Hanafi and Wahabi schools of thought issued a joint proclamation to vanquish "Qadianism" and to conquer Qadian itself. Pursuing that declaration a large meeting was held there. A day before the meeting I received a message from the Imam to reach Qadian at the earliest alongwith the residents of Ahmaddiya hostel.

The train arrived at Batala at midnight. Some students wanted to rest there for a while before proceeding to Qadian. I told them that the direction to me was to reach without delay which admitted of no tarrying. We set on our journey straightaway. The muezzin's cry rose to wake the faithful from their slumber just as we arrived at the old town square. Soon after the prayers they were dispatched directly to their places of duty. Besides me, only press representatives and six volunteers were permitted to go to the meeting. To forestall the possibility of a clash, the members of the community were barred from going to the meeting ground or even pass by it. The Ahmaddiya localities in the town and its outskirts were guarded and patrolled. Everybody was alert, every soul melted into intense

prayer. Waves of mutual love and compassion swirled in a sea that found no shore.

Agile volunteers: The proceedings of the meeting would start at day-break and with intervals for lunch and prayers continue late into the evening. The ulema had turned up in such large numbers that to accommodate them the sessions had to be long. Consequently, I had to remain present from morning till evening. When a session adjourned for meals or prayers, I would hasten back to steal a grub, join in prayers and also give a short resume of the proceedings to the Head of the community. In the round of inspections unusual scenes were witnessed. Volunteers were found vigilant and wide-awake. The Ahmaddiya localities were all lit up betraying no panic. Everyone, without an exception, was attending to the duty assigned to him with zeal and commitment. A personality reserved and distinguished in scholarship, Maulvi Syed Sarwar Shah, was seen standing alert like a young man guarding the treasury. His bright, cheerful demeanour was no different than it was when he expounded the intricacies of the glorious Quran. That was the teaching, this was an exemplary compliance:

اصبروا وصابروا ورابطوا واتقوا اللہ لعلکم تفلحون

[Be steadfast and strive to excel in steadfastness. Be on your guard and mindful of your duty to Allah that you may prosper]

No untoward incident took place in the meeting though the speeches were all directed against the community for that was the purpose of holding the meeting apparently nothing was said which would have inflamed sentiments or caused commotion or riot.

The discipline and restraint exhibited by Ahmadis, it seems, did not fail to influence the attitude of the speakers and organisers of the meeting. Consequently nothing unpleasant happened.

News of Oscar Burnler's welfare a year after the war's end: A year after the end of the First World War, I learnt that my dear friend Oscar Burnler was doing well. The last communication from him was from Brussels in August 1914 when he was proceeding to join his regiment in Germany. I remained worried about him and prayed for his safety and well-being throughout the war. His letter revealed the death of his parents and an end to the family wealth, glory and grandeur. He was wounded in battle. A fractured knee shortened his one leg but did not impair his movements. He fought gallantly and faced the travails of the war with manly courage earning him the Iron Cross and the title of the Knight of Hoehnzolern.

Journey to Europe to meet Oscar: In 1924, I resigned the law college lectureship. Before that I had also given up editing the Indian Cases. The whole period was one of extreme preoccupation for me. It was almost ten years that I had returned from London. The values of life in the intervening period had undergone a radical transformation giving rise to many a paradox. The civilization, culture and politics of Europe had been shaken to its core.

Though India had escaped the brunt of the conflict, the war had driven the country into a revolutionary era. It occurred to me to extricate myself from the business at home for a European sojourn. The urge to see my dear friend Oscar Burnler who was in Germany in those days gave impetus to the programme. I applied for a passport and got it but without endorsement for Germany. I had arranged to sail from Bombay to Venice by an Italian liner. Arriving in Venice, I learnt of the existence of the office of the British vice consul there. In Venice I also received Oscar Burnler's letter care of Thomas Cook. Taking that letter to the consulate I informed them of my plan to visit him in Germany. The concerned officer read the letter and made entry for Germany and Austria in the passport. I took a train from Venice to Vienna where the fallen value of the Austrian currency made me a millionaire for three days. Two pairs

of shoes cost me half a million crowns which was no more than three pound sterling and five shillings. The shoes were durable and lasted me long. From Vienna I travelled to Berlin passing through Prague where I stayed with Oscar Burnler for twelve days. During my stay in Berlin, Oscar decided to accompany me to England for which he got the permission for temporary residence in London.

The participation of the head of Ahmaddiya community in conference on religions in London:In the summer of 1924, the representatives of various religions of the British Empire were due to meet in a conference in London. The head of the Ahmaddiya community also accepted invitation to attend it. For that conference he had written a pamphlet "Ahmaddiyat or Real Islam". I was commissioned to translate it. I was able to translate three-fourths of the manuscript before leaving for Europe. While permitting me to go to Europe, the Imam entrusted the translation of the remaining part to Maulvi Sher Ali and Mirza Bashir Ahmed. I was still in Berlin when I received a message from Maulvi Abdur Rahim Nayyar (he was then head of the London mission) to reach London immediately. For the stay of the Imam No.6 Chesham Place was rented.

The conference was held at the Imperial Institute in South Kensington. Possibly in choosing the venue and time of the conference its organisers were influenced by the fact that the exhibition at Wembley would attract visitors interested in religion. Barring that the conference and the exhibition had no other link.

Arrival of the head of the Ahmaddiya community in London:Maulvi Abdul Rahim Nayyar posted in the London mission then was assisted by Malik Nawab Din and Sardar Misbahuddin. Master Aziz Din was incharge of the commercial section. Master Mohammed Din had come from America and Hakim Fazlur Rehman from West Africa. Accompanying the Imam were Hafiz Roshan Ali, Khan Zulfiqar Ali Khan, Chaudhry Fateh Mohammed Siyal, Sahibzada

Mirza Sharif Ahmed, Sheikh Yaqub Ali Irfani, Maulvi Abdur Rahim Dard, Bhai Abdur Rahim Qadiani, Dr. Hashmatullah, Chaudhry Mohammed Sharif Advocate and Sheikh Abdur Rehman Misri. Mirza Sharif Ahmed and Chaudhry Mohammed Sharif bore their own travel expenses. Oscar Burnler and I had the privilege of joining the entourage in London.

Engagements of the head of the community in London: The arrival and stay of the Imam received extensive coverage in the press. He received a stream of visitors. At weekends the interviews were so long that the visitors stayed on for dinner. To them was served whatever was cooked, while the Imam and his companions had to be content with bread, cheese and tea.

During a stay of eight to ten weeks, the Imam went to Brighton on the invitation of the town council and once to Portsmouth. The speech the Imam wrote for the conference was given to me for translation as on every other occasion. The privilege of translating his conversation or speeches also fell to my lot.

The Imam also accepted invitation to tea from a group of non-Muslim Indian students. Without being forewarned, an address was read out at the occasion which implied that he was visiting Britain at the invitation of the British Government as their guest hoping that he would exhort the students to reaffirm their loyalty to the government. In their mind the image of Qadian, seemingly, was that of a tomb of a great saint of which he was the chief priest. Replying to the address the Imam elucidated the concept of freedom and how it can be won in a manner so convincing that the hosts for a while were wonderstruck and then gave way to spontaneous applause. I felt persuaded as if they were guilty on their misconceptions. At the end of his address a feeling of gratitude and respect could be discerned among the audience.

The late Chaudhry Ghulam Mustafa Malhi, an advocate of Gujranwalla (he was then studying in London to be called to the bar) summoning his inherent noble station and grace hosted a large tea party for the Imam and his entourage in

the Lyon's Corner House at Oxford Street. That was the year when my parents went for Hajj. I had seen them off at Lahore before embarking on journey to Europe. Water shortage in that Hajj season was reported in the newspapers causing great anxiety.

Martyrdom of Nematullah Khan in Kabul: The news of Nematullah Khan's death by stoning in Kabul reached during our stay in London weighing down the Imam and his entourage with profound grief and anguish. A meeting was held in London's Essex Hall in which this brutal act was condemned. To draw attention to the tragic happening I wrote a letter to the Afghan ambassador in Paris (London in those days did not have an ambassador from Afghanistan) which began with the first eleven verses of the Quranic chapter Alburuj (The Constellation) which ends on the note: "those who persecuted the believing men and women and never repented will surely suffer the scourge of hell and the torture of burning".

Living in Europe, I imagined the ambassador if not ashamed would at least suffer remorse on the savage deed of his government. On the contrary, I received from him a furious letter which concluded giving vent to his anger by stating that he had torn and consigned my impertinent letter to the waste-paper basket. I requested the Imam to send me to Afghanistan on a preaching mission to which he did not agree.

A short time after this incident, His Majesty Amir Amanullah Khan, King of Afghanistan came on a tour to Europe. Wherever he went he was enthusiastically welcomed both by the governments and the people and extended the courtesy befitting his status. Across the length and breadth of Europe the people – ordinary and important – were aware that he was the regal potentate on whose command an innocent young man was stoned to death only for differences over religious belief. The European tour of the King and his consort was a success and he returned to his kingdom in a blaze of glory. There the Divine nemesis "Thou exhaltest whomsoever Thou pleasest, and Thou abasest

whomsoever Thou pleasest" awaited him. Within a few months of his return an obscure man of no reckoning with the nom de plume of Bachha Sakka rose like a tempest and in no time overthrew the monarchy and personal ascendancy of King Amanullah. He was driven out of the country in a state of utter destitution. He spent the remaining part of his worldly life in exile in a condition which was an apt illustration of the Quranic dictum of a "torturous existence" which is neither life nor death – "So take warning, O ye who possess understanding".

The speech of the head of the Ahmaddiya community for the conference on religions: I had gone to sleep soon on the night preceding the session in which the speech of the Imam was to be read out in the conference on religions when I was summoned by him. He said the point at issue was as to who should read out his address. Some suggested that he should read out himself while others wanted someone else to read it among whom I was also named. I was summoned so that all those whose names had been suggested should read out a part of the address to assess who could do it best. The Imam had decided before hand not to read the address himself. After due consultation he decided that I should be reading it.

My voice was then sonorous. Dr. Hashmatullah was directed to continue to "mend" it with tincture iodine. The doctor had recourse to his duty with such assiduous frequency that I was compelled to invoke the intervention of the Imam by a doleful plea at breakfast that if the doctor was to concentrate on my afflicted throat in that fashion my humble self would be wholly disabled by the time the session commenced. An end was put to my torment on his instructions.

Presentation of the address to the Imam of the community in the conference on religions: The Imam was received with extraordinary courtesy when he arrived at the conference. A priest from Wales while holding his hand said that he had purchased his book "Ahmaddiyat or True Islam" and could not put it aside till he had read it through the night. When the time came to read the

address, the Imam leaned toward me to say in most affectionate manner "do not worry, I will continue to pray for you."

Every seat in the hall was taken. A large number had to stand. The entire address was heard in eerie silence. A pin dropping in the hall could be heard. When the address came to an end, a large number from among the audience all at once leapt on to the stage in an attempt to have the privilege of shaking my hand. Khwaja Nazir Ahmed son of Khwaja Kamaluddin was in the crowd. The address proved a success and there was unanimity on its being rated as the best presented at the conference.

During his stay in London the Imam laid the foundation stone of the London mission. The privilege to inaugurate it on completion fell to the lot of Sheikh Sir Abdul Qadir.

Return from England: A few days before the return journey of the Imam was to commence, I left for Amsterdam. KLM's London-Amsterdam air service had started only a short while earlier. It was my first experience of air travel. The plane was small – to carry just five passengers. Chairs were of cane arranged two in the front and three in the back row. No more than a wooden plank separated the passengers from the pilot. There was only one exit and entry door for everybody to use. The plane flew low. The atmosphere being clear every object on the ground could be distinctly seen. The plane stopped at Rotterdam for a few minutes before landing in Amsterdam. After a few days Chaudhry Mohammad Sharif joined me there. Together we travelled to Brussels. From there after a two-day halt we joined the Imam's entourage in Paris. In Paris he stayed at Grand Hotel near Louvre. Though not as busy as he was in London, most of his time was spent in meeting with people. Only a day could be spared to visit the palace of Versailles. Khwaja Taqiuddin and I accompanied him. During the Paris stay, Imam observed that since I already had experience of air travel, a way should be found for him to have the same experience. I submitted that his companions would not approve of his trying this new mode of travel which still

carried an element of hazard. He said they should not be told beforehand. I submitted once they come to know of it, I would be blamed for the advice and they would entertain no excuse I might put forth. I was conscious of the Imam's wish for an occasion to arise for his travel by air but, nevertheless, hesitant in shouldering his responsibility. Realising my predicament, I guess, the Imam did not insist.

Tour of Venice in the Imam's company: The entourage of the head of the community went to Venice by rail. The stay there was arranged at Metropole Hotel which is situated close to St. Mark's Square on the Grand Canal. The ship was to sail after two days. Thus were available two days of leisure. Weather was pleasant. St. Mark's Square, the hub of the town, presents varying pictures of human nature and endeavour in its multifarious aspects. When the Imam went to see the Square for the first time I submitted that it was the most beautiful of all squares in the world. He said he could not subscribe to that view but conceded that it was the prettiest of all squares that he had seen. Every shop had the looks of a museum. In Venice are sold glass, leather and silk articles of varied and finest description. A tea-set for twelve particularly fascinated him but he did not like to buy it for himself and, instead, told me to buy it. I submitted it was beyond my reach, he said that I would be using it often. Considering his direction a fortuitous omen, I acquiesced but did not have money enough to pay the full price. The Imam offered to lend the money to make up the shortfall leaving no excuse for me but to obey his command.

The sea journey in Imam's Company:In the ship, Imam was in first class while I alongwith Mirza Sharif Ahmed, Hafiz Roshan Ali, Zulfiqar Ali Khan, Chaudhry Mohammed Sharif was in second class. The rest were deck passengers. For them provisions were procured in Venice. A cook accompanying, they faced no inconvenience. In fact they had made their part of the deck so cozy that we would go to our own class only to wash and eat and

Zafarullah Khan with Sir
Muhammad Iqbal in Whitehall

Muslim Delegation to the Third Round Table Confrence:
Sir Aga Khan in the Middle, Sir Mohammad Iqbal on his left and Sir Zafrulla Khan on his right.

New Delhi 1934: Zafrullah Khan, Sir Aga Khan, Sir Ross Masood, Nawab Ismail Khan and others.

Extreme left at the Federal Structure Committee of the Second Round Table Conference - 1931
Gandhi Ji is also seen in the picture.

With Sir Aga Khan at Viceregal Lodge, New Delhi-1934

With Governor General Ghulam Muhammad,
Syed Amjad Ali and his daughter

1949: At the UN leading Pakistan's Delegation with Mian Ziauddin,
A.S. Bokhari Pitras, Col Abdur Rahim and Agha Shahi

Sept. 30, 1947: Pakistan's first delegatio at the UN-Zafrullah KHan, M.A. Ispahani, Begum Tasaduq Husain, Abdus Sattar Pirzada, Mir Laiq Ali, Sitting Behind are Officials- NA Faruqi and M. Ayub.

spend rest of the time with them. Prayers, too, were offered and enlightening discourses held in Imam's presence. The weather remained calm and pleasant throughout the journey.

Sailing through the Red Sea on a moonlit night all of us assembled on the second class deck. Each member of the entourage was asked by the Imam to recite a bit of poetry. While others complied, I couldn't because of extreme bashfulness. Toward the end, on the request of others, Imam also agreed to recite and asked the audience to get closer. I sat right next to him. Others scampered closer. He then recited Ghalib's poem:

اے تازہ واردانِ بساطِ ہوائے دل

[Ye who choose to enter the domain of love, look not for pleasures mundane and instant.]

His refrain was so full of anguish that tears welled up in every eye. On reaching Bombay, I begged leave of Imam and left for Lahore the same evening.

First journey to Kashmir: In the summer of 1925 my father and mother planned a trip for Kashmir. Chaudhry Bashir Ahmed joined us. It was so planned that we would spend a few days in Murree from where I would return to Lahore to finish the leftover chores and join the party again in onward travel to Kashmir. As I returned to Lahore, the father was taken ill. In view of his fragile health, a house called Noon Cottage at Pindi Point was rented. A better part of the vacation was spent there in comfort. The father fast regained health and we left for Kashmir in the middle of September. At Domail we were told the road was blocked by falling rocks. We decided to stay overnight and went across the bridge to Muzaffarabad. The rest house had no free room but we found shelter on the roof of an inn. We relished freshly-baked bread and kebabs. In a pleasant moonlit night the silver streak of river Ramganga flowed in a serene musical rhythm. The road was cleared by day-light. We reached Srinagar by ten and put

up with Maulvi Nazir Ahmed who was then a minister in Kashmir Government. As we left Murree, Maharaja of Kashmir was reported to be ill. He died on the day we arrived in Srinagar. To mourn him shops and offices were closed and business of life came to standstill. We rented a houseboat to stay for a week at Nasimbagh to explore on foot the part of the valley comprising Nishat, Shalamar, Harun on this side of the lake and those farther away by car.

In Srinagar's Khanyar locality we paid homage at a grave, said to be Jesus's. In Khanyar square our car attracted some urchins who looked distinctly Israelite in facial features. Twelve years later I saw identical faces in Warsaw when I happened to visit a Jewish quarter there. The mountains and springs of Kashmir valley, its glades and meadows, its frisky wind and sparkling water are heart winning. Kashmir is slow in casting its magical spell but overwhelms forever. Our return journey was through Banihal. We left Srinagar in the afternoon. Climbing up the Banihal peak we stayed overnight in a bungalow. The route is difficult to traverse compared to Murree – Baramula road but far more scenic. The spring of Verinag, in particular, is an exhilarating spectacle.

Divine dispensation and two experiences to remember:In that very year and a year later, I had two experiences in the High Court which reinforced my belief in ultimate Divine dispensation howsoever the people may or may not exert. A father and son were sentenced to hanging on the charge of murder. The father confessed to the crime. I was counsel for the son who had appealed in the High Court. On the date of hearing the appeal was first on the cause list of the bench comprising Chief Justice Shadi Lal and a pusine judge. The counsel whose case was second on the list asked me how long would my case take. I said about half an hour. "Is it that brief a hearing" he enquired. I said the incident of murder had but one eye witness. The Chief Justice would be pertinacious enough not to reject his testimony and thus my appeal must fall. Meanwhile, the judges arrived. Instead of the Chief Justice, Mr. Justice Le Rasinval presided over the bench. It transpired that the Chief Justice had gone to Jammu to attend the coronation of

Maharaja Hari Singh. I whispered to the other counsel that though my appeal would still be over within half an hour as it would be accepted.

The victims of murder in the case were husband and wife. They had been married only for a few days. It was summer. As is common is rural life, they lived in a compound which had residential quarters all around with a common courtyard in the middle where the denizens spread cots at a short distance from each other. The husband and wife were asleep on a cot under a tree. At a short distance lay the mother of the husband in her own cot. In the latter part of a dark night someone inflicted serious wounds on the husband and wife with a sharp-edged weapon to which they succumbed. Their wails woke up the husband's mother and some others as well. The mother told the police that woken up by hue and cry, she saw the two accused running away. The others deposed that by the time they woke up the assailants had made their escape and, thus, could not identify anyone in darkness. The police had produced the mother of the deceased husband in the trial court as the only witness to the occurrence. She claimed to have identified the men from their voices. Even if it were to be assumed for a while that the act was committed by not one but two persons, it is most unlikely that they were conversing with each other at the time of the assault.

The identification, she claimed, was further facilitated by a hurricane lamp hanging from a tree. I submitted to the judges that evidence on the identification of the accused lacked credence. It was obvious from the statement of the mother of the deceased husband that she herself was not sure of the identification. She claimed to have recognised the accused by their voices. It was most unlikely that the accused were conversing at the time of the assault. Cognizant of this weakness, she seems to have been tutored to bring in the lamp to lend weight to her contention but it had the effect of weakening it further. First, the lamp was not mentioned in the first information report. It found mention for the very first time in the police's supplementary notes making it plain that the need for the lamp was felt by the police and the witness had included it in her testimony only at their behest. Secondly, it was wholly contrary

to human nature and local custom for a newly-wed couple to be sleeping in an open courtyard where other folk also slept and to hang a lamp overhead. In these circumstances the appellant's participation in the incident did not at all appeal to reason. He deserved acquittal, I argued.

The judge asked the public prosecutor, Mr. Desraj Sahni, for a reply to this argument. Mr. Sahni said that since the clear testimony of the mother of the deceased was not contradicted by the record, there was no reason for not relying on it. Addressing Mr. Sahni, the judge said the testimony deserved no credence at all. "First, the lamp finds no mention in the FIR and then you would like us to believe that the deceased were so divested of the virtue of modesty that they hung a lit lamp right over their head". Mr. Sahni submitted: "My lord, rustic folk have their own standards of modesty." Mr. Justice Le Rasinval's agitated retort was "Mr. Sahni if you have nothing worthwhile to say better keep quiet. We accept the appeal and acquit the accused."

In most circumstances it is futile to visualise what would have happened if what actually happened had not happened. In this case, for instance, had the father not confessed to the crime in the sessions trial and, consequently, on the basis of the testimony of the mother of the husband, the court had sentenced both father and son to death, and if they were to appeal and the same bench were to hear the appeal, both would have been acquitted. The motive attributed to the murder was that before the marriage of the victims a proposal for the betrothal of the appellant with the murdered bride was turned down by her parents. Instead, she was betrothed to the deceased. Aggrieved, the accused murdered them both. If that is what occasioned the crime, very likely the appellant had also colluded in its commission. It is also likely that the murder was committed by the appellant alone but when both were implicated the father confessed only to save his son. The Creator of the universe who is ever so merciful acknowledged the father's expression of passion by sparing his son's life.

Further, it was nothing but sheer coincidence that on the day the appeal was to be heard Sir Shadi Lal did not sit on the bench. Were the appeal to be heard a

day earlier or a day later, Sir Shadi Lal surely would have presided over the court and rejected it.

Another experience to remember: A year after this episode, an appeal in which one Abdullah was sentenced to death by the sessions was heard by a bench comprising Sir Shadi Lal and Justice Agha Haider. Some years before that, money-lender of a village of Firozpur district was done to death. Suspicion fell on three persons. One of them, Abdullah by name, absconded while the other two were arrested. The case was committed to the sessions but one of the accused died before the trial commenced. The prosecution produced three eye-witnesses. Holding their testimonies unreliable, the sessions judge set the accused free. A few years later, Abdullah was arrested in Montgomery (now Sahiwal) district where he had taken up permanent abode. He was tried in the sessions where those very three eye-witnesses appeared for the prosecution to reinforce their depositions by a further bit of evidence that the accused at his new place of residence had confided in a Sikh that he had absconded from his village for murdering a money-lender.

The sessions judge, like the presiding officer, rejected the ocular evidence but relying on the reported confession of the accused held him guilty and sentenced him to death by hanging. Arguing for the appellant I pointed out some flaws in the confessional statement making it wholly unworthy of credence. The public prosecutor could muster pretty little to rebut the arguments. The court reserved the judgment. When it was announced, the court contrary to expectation, remanded the case to the sessions for recording further evidence under section 428 of the Criminal Procedure Code. The court thus conceded that the evidence produced was not enough to sustain a conviction but instead of acquitting the appellant which was the dictate of justice, the court, relying on the flaws pointed out by me, remanded the case for recording more evidence. The case was once again argued at length when it came back to the high court. The judges holding that it contained no more flaws dismissed the appeal.

Some months later at the peak of summer, electricity failed in the high court building. I was then on my legs in the court of Mr. Justice Agha Haider. The lights went out and fans stopped. The machine blowing the air through the screen of fragrant reeds (for cooling) also stopped causing acute suffocation. Justice Agha Haider with his hulk of heavyweight wrestler became restive. Turning to me he said "what kind of a court room it is – extremely hot in summer and extremely cold in winter. "How one could work here and what kind of justice, after all, is dispensed here. Do you recall what happened in that Abdullah's case?"

I was stunned by the last sentence. He clearly implied that justice was not done and he was unjustifiably sent to the gallows. Notwithstanding the feelings he aired, this very judge was not only a signatory to that judgment but had also signed the death warrant. If he did not agree with the chief justice he could have written a dissenting judgment which would have taken the appeal to a third judge. But Agha Haider chose to kill his own conscience rather than muster courage to disagree with the chief justice.

Preparation for participation in the Punjab council election: In 1928, my father once again fell ill at Daska. That was the year of elections to the legislative assemblies. In the 1923 elections Chaudhry Sir Shahabuddin was elected to the Punjab Council from Sialkot district constituency and was later elevated to the office of its chairman. In 1926 he wanted to contest from Sialkot as well as Gurdaspur and in the event of being returned from both vacate one of the two. In this connection, he once again wrote to the head of the Ahmeddiya community in which, inter alia, he mentioned that Zafrulla had always benefited from him in one or the other way. The Imam gave Sir Shahabuddin's letter to me and enquired about the degree of my financial deprivation if he were to get annoyed with me. The work received from the office of the Indian Cases. I submitted, yielded a few hundred rupees but God is the sustainer. Sir Shahabuddin was always kindly disposed toward me. I was beholden to him,

respected him but in no way was dependent on him. The Imam recalled that Sir Shahabuddin had made a firm promise that he would not be a candidate for election from Sialkot district. He would extend to him all help in Gurdaspur and he might get elected unopposed. He should however stand by his commitment not to contest from Sialkot.

On return to Lahore, when some work was sent to me from the office of Indian Cases I sent it back with a message that it should not be sent to me in the future. The next day Sir Shahabuddin came to my house and enquired the reason for my refusal. I offered to sit with him in his car and requested him to direct his chauffeur to drive along the Canal Bank to answer his question at length.

In the letter he had written to the Imam, I said, he had mentioned that I had benefited from him. I was not aggrieved by because it was a fact. But this one sentence had set in motion a train if thought in my mind. A man could be right or mistaken in the assessment of his own self but my estimation of my own self was that, as far as possible, I respect the protocol and try to discharge the obligations imposed on me by the station on which God had placed other men. For instance, I went on, I differed with Chief Justice Sir Shadi Lal's manner and style of conducting most affairs. Some of his weaknesses were obvious to all. In his court I made appearances but for a few minutes in a year. May be he wondered why I did not ever flatter, or beseech, him nor I went to him out of fear or covetousness. I fear or crave no man. I went on: "You have been indulgent to me since my childhood which I value, but when you wrote about my benefitting from you, it occurred to me that I should put myself to test whether the esteem in which I hold you is all due to your kind disposition to me and your camaraderie of my father. Lest what I take to be sheer respect, in fact might be a form of sycophancy arising out of a hope of greater gain in the future. I have therefore stopped working for Indian Cases to eliminate any element of material benefit that might exist in our relationship. If my feelings for you remain the same as they have been uptil now, I would know my assessment of my own self has been

correct. If such feelings undergo a change I would know I had been indulging in self-deception."

Sir Shahabuddin listened to me in silence. After I had finished, he said just this much: "Zafrulla, I wish all men were like you."

My opponent retires from contest: When the campaign for elections in 1926 got underway, it transpired that my contest would be against Chaudhry Jehan Khan Goraya. He was an influential, hospitable landowner of Sialkot of amiable disposition. Because of his membership of the district council his contact and consultation with the rural gentry were extensive and cordial. His kinship and caste were also widespread. The considerable expense that he had incurred in contesting election against Sir Shahabuddin, it seems, had made him conscious of the grim and turbulent conditions one must face in an electoral battle. It was my hunch that he wished to seek a compromise.

Though I was the contender in the field, Chaudhry Jehan Khan knew that whatever support I muster would be due to the connections and influence of my father. Chaudhry Fateh Din, a Zaildar of Madoh Kahlwan was an influential and resourceful landowner. He once suggested to Chaudhry Jehan Khan to try to strike a compromise to avoid the headache of elections. When Chaudhry Jehan Khan asked him about the proposal he had in mind, Chaudhry Fateh Din suggested drawing of the lot. Chaudhry Jehan Khan considered it appropriate but insisted that the lot should be drawn by the deputy commissioner. Chaudhry Fateh Din thought that should present no problem.

Later, Chaudhry Fateh Din told my father that he had brought Chaudhry Jehan Khan round to drawing of lot and he should also agree. My father said though he did not consider the mode advisable, since he had already persuaded Chaudhry Jehan Khan to resort to it, he too would acquiesce as refusal would mean loss of face for Chaudhry Fateh Din. My father then directed me to accompany Chaudhry Jehan Khan to the deputy commissioner for drawing of the ballot. Mr. Herren, the deputy commissioner, was pleased on the arrangement.

He called us both to his house, emptied two boxes of matches, put my name on a bit of paper in one and that of Chaudhry Jehan Khan in the other and asked his orderly to pick one. The bit he picked bore my name. Chaudhry Jehan Khan withdrew his candidature.

Death of father: Soon after that my father got fever with bouts of cough. I went to Daska and brought both father and mother to Lahore. Dr. Mohammad Yusuf examined him and diagnosed wet pleurisy. He treated him with great care and consideration. Fluid was extracted from his lungs providing some relief but his condition kept aggravating. At that stage Dr. Yusuf had to go to Simla. In his absence Dr. Yar Mohammad treated him. After some days, extraction of fluid from the lungs was again prescribed but instead of giving relief his condition worsened.

After the morning prayers on 31st August which happened to be a Tuesday my mother narrated a dream to me of an unambiguous interpretation. She interpreted it to imply death of the father at the dawn of the day next Friday. She said preparations should be set afoot for the eventuality and gave instructions which were complied with.

Those were momentous days presaging a lesson and Divine favour. The heart was filled with anguish but wholly resigned to God's will. The events of that time are recounted at some length in my book "My Mother" and need not be repeated here nor can I muster the courage enough to do it yet again. As the mother had dreamt, on the second of September 1926 after the evening prayers when, according to the Islamic lunar calendar, Friday had just begun, we forever stood deprived of the companionship and guidance of the man in whom affection and nobility were profoundly blended – may God bless his soul and grant him a high station in heavens.

At two in the early hours of the morning, we set for Qadian with the cortege. That very night despite a bad road Imam travelled from Dalhousie to

Qadain and at 9 a.m. on the 4th of September he led the funeral prayers and lowered the first chief of the central office of the community into grave.

Success in Punjab council elections: Soon after the father's death, I learnt that Chaudhry Ali Akbar Khan of Kotli Noona of Daska intended to contest the election. My first reaction was not to believe the news for with him I had long standing cordial personal and family connections. In fact he was among my supporters. No doubt, he was inclined to jesting but this matter was serious and he could never hope to succeed. His standpoint, it transpired, was that to choose a candidate by drawing of lot was not proper and the choice should lie with the electorate. He conceded that he stood no chance of success, he also conceded that my election would be appropriate and yet he did not approve of the method of drawing the lot. His standpoint was based on a just principle and there was no way to hold him back when he was insistent on participating in the election. He had put in his application on the due date making the election mandatory and compelling me to go through the rigmarole of polling. The benefit accruing to me from it was that it strengthened my personal relations with the important landowners of Sialkot district.

Recounting an anecdote of the election campaign here should be of interest. Majra Kalan's sufaidposh (officially designated dignitary) Chaudhry Jehan Khan asked me to accompany him to his village to meet with the voters there. Chaudhry Qasim Ali zaildar and I went with him to his village and spent a night there. The following morning he invited the land owners of the village to his guest house and introduced me to them stating the reason for my being there. Meanwhile, breakfast was served. The host observed that since my time was precious, we should talk over breakfast.

Breakfast ending, one of the owners smilingly spoke to the gathering thus: "Friends, I urge you all to cast your vote for this very Chaudhry" (he meant me). One from among the audience said that was their opinion as well but was there a special reason for his advice? He said "the reason is we the farmers, when

buying an ox, among other things, observe how it grazes. An ox that grazes well also ploughs well. I have seen this Chaudhry eat. He grazes well so I infer he would plough equally well". A roar of laughter went up and thus dispersed the gathering in a jocular atmosphere. The unfounded hope of Chaudhry Ali Akbar was that he may not forfeit his security. When the election result was declared contrary to that expectation he had polled so few votes that his cash deposit was forfeited.

Unionist party in the Punjab council:Mian Sir Fazle Hussain was appointed minister in the Punjab Government in 1921. In 1926 he became revenue member. During the term of his ministership, he founded the Unionist Party in collaboration with Chaudhry Lal Chand. An election petition was filed against Chaudhry Lal Chand and, in consequence, his election was annulled. Chaudhry Chottu Ram who was elected in his place became deputy leader of the Unionist Party. This party was founded on economic issues. The majority of its members were Muslims though Hindus also joined its ranks.

Although it was considered to be a rural-based party, and, without a doubt, promoting the welfare of the rural population was indeed one of its aims, its true objective was to work for the progress and prosperity of the weak and backward elements of the entire population of the province. Among these elements, the rural folk (Christians, Hindus, Sikhs, Muslims) predominated. Muslims as a community were weaker and more down-trodden than others. It was a result of Sir Fazle Hussain's foresight, and political sagacity that gave rise to this idea that worked. In the era of "Diarchy" though the departments like education, health, agriculture, forests and municipalities were assigned to the ministers. The more important departments of law and order, finance and some others were "reserved" and entrusted to the executive councillors who were directly placed under the governor. Further, the governor enjoyed certain supervisory powers in relation to the departments of ministers.

In this situation only those ministers commanded respect and their opinion carried weight who, in the view of the governor and executive councillors, had the endorsement and support of the majority in the legislative assembly. To run the development departments successfully and to make them an instrument of promoting public welfare, money was needed besides other paraphernalia. But the finances were controlled not by the ministers but by an executive councillor. Thus, it was necessary for Sir Fazle Hussain to have the support of the legislative assembly to carry his development schemes to successful completion. In the circumstances of the time, founding of the Unionist party was a master political stroke. The party could not be accused of sectarianism or of not safeguarding the rights of the other sections of the province. Nor could it be accused of being an economic party that was opposed to the urban class.

Allama Dr. Sir Mohammed Iqbal was a member of this party for his three-year term of the Assembly. Sheikh Sir Abdul Qadir, Sheikh Din Mohammed and many other men of distinction belonging to the urban areas were among its important members. Bearing in mind the circumstances in which this party was created and the feats it performed, a detached survey would compel any independent observer to concede that if in 20 years Punjab from the status of a backward province of India rose to rank among the developed ones, the credit for this radical transformation went to the Unionist Party alone and its founder and guiding force, Mian Sir Fazle Hussain, deserves the gratitude of every Punjabi. Today's self-styled historians ignore this simple fact that the third and fourth decades of the twentieth century constituted an era which took the Indian politics into a revolutionary phase.

Mian Sir Fazle Hussain: Mian Sir Fazle Hussain was a Minister (Executive Concillor) in the Punjab Government from 1921-1930. From 1930 to 1935 he adorned the Viceroy's Executive Council. In May 1935 when he returned to Punjab his health had deteriorated to a point where it was difficult for

him even to breathe. I say not on conjecture but on my firm personal information, that he was not at all inclined to commit his frail self once again, in the radically changed circumstances, to public weal and woe. But a section of his old colleagues who were then in power put a condition across that if his leadership was not available to them they, too, would renounce public service. He was relentlessly persuaded to put need of the community ahead of personal comfort and not to deprive his old companions of his guidance. Mian Sahib knew well that all these conditions and professions of sincerity and devotion were devoid of depth. The entries in his diary bore it out.

My knowledge is not derived from his diary but directly from him. But he was, after all, "Fazle Hussain". Knowing that the invitation was a sheer deception, he responded to it. It might also have been in his mind that by accepting it he would be able to neutralise the manoeuvres behind the offer. But all his strength and faculties were already spent up in the service of the nation. For fifteen years his one breath had followed the other with difficulty. In the last few years of his life, hardly ever he stayed normal for a week. The measure of life was filled to the brim. He handed the life to Whom it belonged – may Allah bless his soul.

Those 15 years produced a number of sincere servants of the people. If today the nation shows signs of life and is marching forward to progress, it is a fruit of the constant strivings and travails of its revered servants of that time. Mian Sir Fazle Hussain occupied a position of distinction among them. His constructive services between 1921 and 1936 had a crucial bearing on the future of the Muslims of India in general and that of the Punjab Muslims in particular.

The political critics and historians of the sixth and seventh decade of this century tend to forget the state of the Muslims of Punjab, though in majority, in comparison with the other communities, and that of Punjab itself compared with the provinces of Bengal, Bombay and Madras. Had those conditions persisted after 1921, when the vistas of development opened, non-Muslim communities would have marched ever faster on the road to progress and Muslims, by

contrast, would have fallen deeper into the abyss from year to year. It would be wholly reasonable to surmise that these very critics and historians would not have been able to get even admission in a college. The status of Punjab in relation to the other provinces instead of rising would have continued to decline.

It was the exertions of Sir Fazle Hussain that secured for Muslims the right to 40 per cent seats in colleges. The number of schools and colleges in the province gradually started going up. The standard of education, both in quality and quantity, throughout the province rose. In primary education Punjab not only caught up with the other provinces but left them behind. The public health and medical departments and institutions became active. In towns and villages the number of hospitals and dispensaries grew from year to year. Every department of life in the province pulsated with vigour.

Mian Sir Fazle Hussain was endowed with qualities of vision and foresight. He was dexterous in handling public affairs and benevolent at heart. For him service was its own reward. He was adroit in getting work out of others. Yet he was a human being and could do no more than a man can do. Under his stewardship a large number of people, according to their respective capacities, entered into the service of the country and community and gave to him sincere co-operation in carrying his plans to fruition.

Between 1931 and 1935 the Unionist Party of Fazle Hussain proved both useful and effective in arranging finance for development projects by supporting increase in land revenue and other rates. It was no favour. The members of the party well knew that the resources thus raised would be invested in their own welfare projects.

Mian Sahib's exertions for the welfare of Indians – Muslims in particular:Mian Fazle Hussain was a member of Viceroy's Executive Council from 1930 until 1935. When Lord Irwin (later, on the death of his father, he became Lord Halifax) invited him to join the Council, he mentioned it to me on which I submitted that accepting Viceroy's invitation might be inescapable but a

void would result in the province. He said he had shown reluctance when the Viceroy had verbally mentioned it to him on which the Viceroy said that he (Fazle Hussain) had always been pleading for the advancement of Indians in all departments of life. That was the opportunity to give his schemes a practical shape in his capacity as a member of the central government. It was difficult to refute the logic of this argument, Mian Sahib said, adding that he had been working in the province for nine years and his colleagues expected him to make way for them. Even sons of an ageing father expect him to relinquish the management of property in their favour and this is arena of politics.

The catalogue of Fazle Hussain's endeavors for the welfare of the Indians, more particularly for Muslims, is long. It may be illustrated by recounting just one. Before him Sir Syed Ali Imam, Sir Mian Mohammad Shafi and Sir Mohammad Habibullah had been members of Viceroy's Executive Council. All of them rendered extremely valuable services according to their capacities but the field of service remained wide open and ever new opportunities arose to serve the people. Sir Fazle Hussain had before him a clear objective which he assiduously tried to achieve in the province and carried to the centre as well. It was: The country and the people must move forward in every walk of life with Muslims participating fully in this struggle to get their due.

In the very first half of his membership term, he appointed Indians to high positions in his department. Sir Girja Shankar Vajpai was the secretary, Ram Chandra, a Christian, was joint secretary, Saleh Akbar Haidri was deputy secretary and, for some time, Khan Bahadur Sheikh Khurshid Mohammed was undersecretary. Till then no other member of Viceroy's Council – Indian or non-Indian – could bring himself round to do so. In Mian Sahib's attached departments, Rai Bahadur Dya Ram Sahni became the director general of archaeology. The central organisation of the Indian Medical Service was devoid of Indian element altogether. Its director general, General Mega, was not prepared even to listen to the appointment of an Indian at the centre. Mian Sahib before the expiry of his tenure got Viceroy's approval to the appointment of Lt.

Col. Ganapati as public health commissioner and deputy director general of IMS. Before Mian Sahib joined the central government hardly a Muslim was to be seen in the superior central posts. He insisted on the situation being rectified. Consequently, Sir Herbert Morrison (then home secretary, later governor of Punjab) was entrusted with the task of preparing an exhaustive report on the subject. In June 1932 when Mian Sahib proceeded on four months' leave for health reasons and I was temporarily appointed in his place, he advised me to make sure that I write a note on the report of Sir Herbert's report (which was about to be submitted but would have come up for discussion later) so that on return he could benefit by it. This instance, though small, illustrates his vigilance in the cause of Muslims. No one seeing his state of health would have ever imagined that he would be able to concentrate on any matter. Even in that condition he made sure that his temporary substitute recorded a note supporting his viewpoint to enable him to quote it as a consensus view of both. Ultimately, the Government of India on 4th of July 1934 issued a directive that Muslims must get 25 percent share in superior central posts. If in competitive examinations they could secure more than that, it would be their right but if it fell short, it shall have to be made up by nominations.

An important and complex issue that arose in the discussions in the Round Table Conference was about the communal representation. The demand of Muslims was for representation in the legislative assemblies as well and in provinces where they were in minority somewhat in excess of their population ratio.

The dispute ultimately fell in the lap of the British Government which called for the views of the Government of India. It was debated at length in Viceroy's Executive Council. No difficulty arose concerning the provinces of Sind and North-West Frontier because in these two the ratio of Muslim population was such that even after conceding extra representation to the minorities the Muslim majority remained.

In Punjab the Muslims constituted 56 per cent of the population and, leaving aside some smaller groups, the principal minorities were Hindus and Sikhs. Consensus, nevertheless, was reached even about Punjab in the Executive Council under which the Muslims retained a slight majority in the legislative assembly. Bengal presented a peculiar problem. There, besides the Muslim ratio being barely 54 per cent, it had been decided to give significant representation to the European community which though small was very important for its domination in trade, industry and finance. To fulfil the purpose any device adopted tended to negate the Muslim majority. For Hindus it was not possible to get representation even in proportion to their population, not to speak of exceeding it.

The formula ultimately recommended by the council gave to Muslims 48 percent representation in the form of reserved seats and an expected 0.8 percent against seats set aside for labour. Thus a representation of 48.8 was fixed for the Muslims. With this majority view Mian Sahib dissented in behalf of Muslims and Sir B.N. Mitra for the Hindus. The British Government, however, maintained this ratio which gave Hindus a share less than their population ratio.

Fruits of the Mian's efforts: Under the Lucknow Pact, Muslims were given 40 per cent of the general seats, but because of the special seats (for Europeans, trade and industry, labour, universities) adding up to 30 in which Muslims got no share at all, their representation practically was reduced to 28 per cent. The government decision, recounted above, which raised it to 48 per cent was a fruit of Mian Sir Fazle Hussain's tolling efforts.

An unbiased look at the etchings on the canvas of the time would leave no choice but for everybody to concede that had Sir Fazle Hussain not laid a firm and unshakable foundation, the post-1935 leadership, most distinguished and inspiring though it was, would have encountered much greater difficulty in raising the edifice of Pakistan. Visualise a situation if the instructions of 4th July 1934 about the representation of Muslims in the central superior posts were not

to be issued, how many from among them in 1947 would have been holding such posts. And whether that number would have been able to adequately manage the government of the newly independent country.

Cooperation with Sir Fazle Hussain and beginning of my political apprenticeship: On my election to Punjab Council in 1926, I was fully committed to cooperate with Mian Sir Fazle Hussain in the council as also in practical politics. He was of the view that the poverty of leadership among Muslims is only aggravated by a general tendency to oppose to weaken rather than to support to strengthen anyone who came forth to lead. Since Mian Sahib was serving the nation with sagacity and commitment extending to him support and cooperation was necessary. He was the founding leader of the Unionist Party. The best way of supporting him, thus, was to join his party. There was really no other alternative.

In the chamber of the council my seat fell in between Allama Sir Mohammad Iqbal and Maulvi Sir Rahim Buksh. The first session of the council was convened at the beginning of January 1927. Chaudhry Shahabuddin was its president and Mian Fazle Hussain was the leader of the house. Though he had left the ministership to become a member of Governor's Executive Council, he remained the leader of the Unionist party as he used to be in his ministerial days. The council had been in session but for a short time when Chaudhry Sir Shahabuddin told me that Mian Sahib felt that though Zafrulla Khan possessed clarity of mind, on occasions he tends to act of his own accord.

I explained that though my intention invariably was to remain in step with Mian Sahib's thinking, contradiction surely arose on occasions because it was not always possible to read his mind. He seldom articulated his wishes, it had to be surmised. My guess could go wrong. Mian Sahib being the leader had a right to expect compliance with his decisions but the decisions must be made known. I expected nothing more. If on any issue I had a submission to make he should hear it but there would be no procrastination on my part even if his decision was at variance with my view.

It seems my submission was conveyed to Mian Sahib by Chaudhry Sahib because a few days later I was called by the former to his house at five on a dark wintery morning. On arrival I found Mian Sahib busy in his work squatting on his bed. Skipping the preliminaries, he said he would be going on tour straight from a meeting with the governor. The governor had also called Sir Jogindar Singh to resolve a certain contentious issue. If it is resolved, he would convey it to someone who would let me know. If it defied a solution, I must make ten copies of a proposal (with that he gave me a paper carrying his signatures), get them signed by ten party members for delivery to the council's office. Then he clarified some other matters and gave directions in one or two more before sending me off. Thus it became clear to me that the submission that I had made through Chaudhry Sahib had found favour. So began my political training under the tutelage of an accomplished politician.

Mr. Justice Bakshi Tek Chand:In the elections of 1926 Bakshi Tek Chand was also elected to the Punjab Council. He was an able jurist, and a top lawyer of Lahore High Court. He never showed interest in routine political activities. In fact his legal preoccupations left him little leisure to attend to other matters. His entry in the council was a riddle which was soon untangled. Early in 1926, a vacancy for a temporary judge was to arise in the high court, for which Chief Justice Sir Shadi Lal had sent Mr. Bakshi's name to the governor, Sir Malcolm Hailey. The governor wrote back to convey that proposing one name implied that the authority of appointment vested not in the governor or in the governor general but in the chief justice. It would be therefore appropriate to send up one more name. The second name sent by the chief justice was that of Roy Bahadur Jay Lal. He was appointed against the vacant post.

The chief justice and Bakshi Tek Chand thus received a temporary setback. The same year elections were held bringing Mr. Bakhsi to the council. In the selection of ministers, the governor faced some difficulty. Sir Malcom, being of an authoritative temperament, looked for ministers who would go by his

advice rather than assert their own will. The device occurring to him was to select one minister from each of the three major parties and thus diminish the Unionist Party. Obstacle to execution arose when in the presence of Mr Bakhsi no other Hindu member would have gone against him to enfeeble the ministry. If Mr Bakhsi was to be appointed minister, being a dominant personality, he would have refused to acquiesce in every action of the governor.

The governor saw a way out of this predicament by offering a judgeship of the high court to Mr. Bakhsi. A special courier was sent to deliver the message to him at his Nurpur home in Kangra district (he was vacationing during the Christmas break) asking for an instant reply. He said he would reply on return to Lahore after the vacations. Back in Lahore, he informed the governor after consulting the chief justice that he was not at all eager to become a judge and was not, in any event, prepared to accept a temporary post. He would, however, consider if an offer was made to him for appointment against an impending permanent vacancy. Mr. Bakshi Tek Chand was, thus, appointed against a permanent vacancy by superseding four temporary judges – Mr. Jay Lal among them. The short-lived humiliation of the chief justice and Mr. Bakshi thus turned into a triumph for both and it was the governor who had to eat the humble pie.

Bakshi's patronage of Hindus: Mr. Bakshi was sworn in for the first session of the council. Within days, however, he went on to adorn the bench. He occupied that position almost for 20 years and spent every moment of those years to strengthen Hindus, individually and as a community, and to weaken Muslims. He was a jurist of exceptional ability. His intellectual pastime was to make a feeble argument appear forceful and a strong one appear weak. He tenaciously followed the course of action once he had chalked it out. When Sir Fazle Hussain got 40 per cent seats reserved for Muslim students in colleges, Mr. Bakshi (then practicing law) use to quip that Fazle Hussain should also somehow contrive to send 40 per cent of law cases to Muslim lawyers.

Having occupied the judge's chair he resolved, so to say, that in his court no Muslim, party to a case, would win against a Hindu nor a Muslim counsel were to succeed against a Hindu counterpart. He did not deviate from this rule right to the end. But Mr. Bakshi's plan was more comprehensive. Its underlying principles were: (1) If parties to a litigation were Muslim on one side and non-Muslim on the other, the decision had to be in favour of the latter; (2) if both parties were Muslims but one had a Hindu counsel and the other a Muslim the decision had to be in favour of the former; and (3) if litigants were Muslims on both sides, and so were their lawyers, the verdict must go in favour of the party whose counsel, in Mr. Bakshi's estimation, was of lower caliber.

Muslims suffered a great deal of harm and injustice at the hands of Sir Shadi Lal so long as he was the chief justice. In deciding cases, however, he was nowhere as audacious, or brazen, as was Mr. Bakshi in butchering justice. Scanning the judgments of Sir Shadi Lal, one could come across instances which did not conform to the three rules devised by Mr. Bakshi. But the worst dispensation to Muslims and principles of Justice came in his support to Mr. Bakshi in occupying a judicial chair.

It was not long after Mr. Bakshi Tek Chand became a judge that Chaudhry Bashir Ahmed (who by then had become an advocate of high court and was working with me) conjectured that Mr. Bakshi would never pronounce a verdict in my favour. I would always reprimand him for forming an opinion against a judge for his prejudices. A short while later I was counsel for respondent in a first civil appeal before a bench compromising Mr. Bakshi and Mr. Justice Johnston. Sir Moti Sagar was the counsel for the appellant. While heading for the court, Chaudhry Bashir Ahmed asked my view about the prospects. My retort was rather irksome. Our case was so strong, I said, that no court could decide against us. He grinned as usual to say "wait and see".

In the original court both sides to the case were Muslims. It was decided by a Hindu judge. The counsel of the plaintiffs (appellants in the high court) in the lower court was a Hindu. In fact, it was he also had persuaded them to file the

plaint. In the high court their lawyer was also a Hindu. Sir Moti Sagar argued for about an hour. Once he concluded, I was satisfied that even Bakshi Tek Chand, with his keen eye, would not be able to find a single point against us. As I started the arguments, Mr. Bakshi started pointing out flaws and deficiencies in our case. On my reply to his one observation, he would come up with three more points to refute it. As the arguments lengthened the determination of Mr. Bakshi became evident. Under rule 2 of his code the appeal was accepted.

Appeal against Bakshi's judgment:About the value of the disputed property, the appeal lay in the Privy Council. The session of the Council hearing the appeal was presided over by Lord Atkin who ranked among the ablest judges of the time. Lord Macmillan, Lord Right and Sir Lancelot Sanderson were the other judges on the bench. After I had narrated the facts, Lord Atkin asked me to read out the judgments of the two courts. Having readout both, I was about to submit arguments when lord Atkin said it would not be necessary for me to argue. Instead, he asked the opposing counsel to state how the judgment of the high court could possibly be sustained. For a futile half hour the counsel tried to breathe life into the high court judgment. Occasion did not arise for me to reply. The judgment was reserved. The information came a few days later that the order of the high court had been set aside and order of the original court restored. After the Privy Council's order became known, I came across Lord Atkin in a reception. He asked me whether I knew of the reason in the background leading to that judgment of the high court. I said though I knew, I wouldn't like to dilate upon it. It must be a local prejudice, he said smilingly.

As an overlord of his estate, Sardar Sir Mohammed Nawaz Khan of Kot Fateh Khan was entitled to recover certain levies from tenants and other owners. In the estate was also situated a "dheri" (a Sikh religious establishment). In the course of land settlement, the priest of the establishment questioned the right of Sardar Sahib to collect the levy. His contention was rejected. The priest went to

the revenue courts seeking redress but the decision went against him right up to the financial commissioner. Then he took his plea to the civil court.

It was contended on behalf of Sardar Sahib that only revenue courts were competent to adjudicate, civil courts were barred. The "dheri" had always paid the dues and remained so liable. The appeal of the priest was dismissed by the district judge. The second appeal in the high court was also dismissed. The priest went on to file a letter patent appeal where the senior judge on the bunch was Mr. Bakshi Tek Chand. This appeal did not came up during the week and had to wait for reconstituted letters patent bench. Contrary to the established practice that only the appeal carried over from the previous week was placed before the new bench of which Mr. Bakshi Tek Chand again was the senior judge. Following rule number one of the Bakshi code, the verdicts of three revenue and three civil courts were overturned and it was held that the dispute lay in the jurisdiction of civil courts and the "dheri" was not liable to pay the cess.

The attorney of Sardar Sahib came to me for appeal to the Privy Council. The leave was sought but refused on the ground that a dispute involving a paltry sum of two rupees a year was not worth adjudication by the Privy Council. I appealed to the Privy Council that as the civil court was held to have no jurisdiction, it was a point of law hence special leave for appeal may be granted. It was given and the appeal heard. The Privy Council held that under the unambiguous provision of the Punjab Revenue Act such like matters lay in the exclusive jurisdiction of the revenue courts. Cancellation of the order of the high court ended in the dismissal of the priest's plaint.

I practiced at the high court for eight and a half years after the elevation of Mr. Bakshi Tek Chand to the bench. The rate of my success in pleadings was very high but I got only one decision in my favour from Bakshi's court in a case in which the parties as well as the counsels on both sides were Muslims. I was from the side of the respondent. The point in dispute was purely one of fact which left no scope for intervention at the stage of second appeal. It is also likely that the case attracted the third rule of Bakshi's code – both parties and their

counsel, being Muslims, the verdict went in favour of the counsel of lower caliber.

The conduct of Mr. Bakshi Tek Chand was so obvious and blatant that some Hindu lawyers would wager huge sums in fee on the verdict. At one time, first appeal of Chaudhry Mohammed Ismail, extra assistant commissioner, and his brothers about the purchase of a canal-irrigated piece of land was lying in the high court. It was listed for hearing before a Hindu judge. Chaudhry Ismail approached a Hindu lawyer who, on hearing the facts, stated a sum he would charge if the client wanted the price paid to purchase the land to be returned to him, and double the sum if he insisted on the disputed land to be decreed in his favour. Chaudhry Ismail paid the latter sum and won the decree. But it was a case of "all not being alike". All Hindu judges were not dyed in Bakshi's wool.

Mr. Justice Jay Lal:In religious belief and culturally, Mr. Justice Jay Lal was an orthodox Hindu. In appearance he looked more of a Hindu than Mr. Bakshi but in performing the duties of his office he would not deviate from the dictates of justice and rectitude even by a hair's breadth. In the understanding of law he was no peer of Bakshi Tek Chand but where Bakshi had made his proven ability an instrument of persecuting Muslims, Mr. Justice Jay Lal was a personification of gentlemanliness, a respected man who dispensed justice even-handedly.

Mr. Justice Rangi Lal: The second example worth quoting is that of Mr. Justice Rangi Lal. From a sub judge he became a sessions judge and then a judge of the high court. He was said to be a kin of Sir Shadi Lal. If he was, he emulated none of his ways. He was a very able and shrewd judge who quickly got to the bottom of the point at issue. In deciding cases he would not ever tilt on one or the other side. The qualities he himself possessed he valued in others – in whomever found.

Mr. Justice Meher Chand Mahajan: I saw very little of Mr. Justice Meher Chand Mahajan's term as a judge but knew him well when he was a practicing lawyer. His ability was beyond questioning but he was a protégé of Mr. Bakshi and followed in his footsteps.

Chief Justice Sir Shadi Lal: A pronounced aspect of Sir Shadi Lal's policy was not to countenance the appointment of an able Muslim in the high court. Mr. Justice Shah Din, a bright star senior to him, woefully died before the chief court was raised to the level of high court. If it were up to Shadi Lal, no Muslim would have become a high court judge after he became the chief justice. But it was beyond him. Appointment of Muslim judges in the high court of a province where Muslims were in a majority was inevitable.

For his conciliatory disposition and politeness, Sheikh Abdul Qadir was popular in all sections of the society. Sir Shadi Lal could not help but condescend to his appointment against a temporary vacancy. After three months he was appointed on a two-year tenure. Had he continued on temporary basis, he would have been soon appointed against a permanent vacancy. Sir Shadi Lal, however, suspected him to be instrumental in every protest voiced in behalf of Muslims. So, when the question of extending his term arose, Sir Shadi Lal declined on the ground that his work had not been satisfactory.

Instead, Syed Abdur Rauf from Allahabad was appointed. He was an amiable elderly gentleman, pleasing in manners and punctilious in conduct. He was particularly affectionate to me. Though admired by one and all for his congenial temperament, yet he had to be extremely cautious. Sir Shadi Lal wore thick lenses but could see deep and distant into the future. Syed Sahib spent all his tenure remaining conscious of protecting his fair name.

Mr. Justice Agha Haider from Saharanpur filled the vacancy caused by Syed Rauf's retirement. He had been a temporary judge of Allahabad high court for a few months. He was shrewd enough not ever to irk Sir Shadi Lal. In this singular objective he succeeded to the end of his tenure. His succession fell to the

lot of Mirza Zafar Ali who had risen to the high court from the subordinate cadre. He was devoutly religious man with reputation for piety. The very mention of Sir Shadi Lal's name made him shudder. For him, to differ with the senior judge was next to apostasy.

Finally, Sheikh Sir Abdul Qadir was appointed once again but the term was not long enough to earn him a pension. By the time Sir Abdur Rashid was appointed, the reign of Sir Shadi Lal was drawing to a close. The appointment of Sheikh Din Mohammed came in the last days of his reign.

In the beginning of 1934, Sir Herbert Emerson was Governor of Punjab. He considered himself to be a very astute man. He was aware of Sir Shadi Lal's maneuvers and must also have been getting information about him from the senior European judges. Mr. Justice Broadway could not be counted among the impartial in this imbroglio. As a barrister he had practiced at the Lahore chief court for a number of years. When appointed a judge he found it prudent, and safe, to play the jackal if Sir Shadi Lal was the lion. But Mr. Justice Harrison and Mr. Justice Edison were not of that ilk. Being senior officers of the Indian Civil Service, they carried themselves with confidence and dignity. They well understood and could testify to the cunning of Sir Shadi Lal and Bakshi Tek Chand.

Sir Shadi Lal was reaching the age of 60 in 1934. The tenure of high court judges was not specified when he was appointed judge. Two judges of Allahabad high court had, in fact, occupied judicial chairs beyond the age of 70. Sir P.C. Bannerji, hard of hearing at 72, wasn't prepared to hear of retirement. Ultimately, Sir Grimmond Mitz persuaded him to relinquish by suggesting that his son would fill the place vacated by him. Similarly, Sir John Knox condescended to proceed on pension only after he had crossed 70. A solution to this problem was found in obtaining a written commitment from the judges at the time of their appointment that they would apply for pension on reaching the age of 60. Since no such commitment was obtained from Sir Shadi Lal at the time of his appointment, he did not consider it binding to quit the post. Sir Herbert

Emerson one day asked him whether he would like to propose anyone to succeed him. Feigning complete indifference, Sir Shadi Lal said he would give his opinion when the time was ripe which made the Governor guess that he had no intention to retire.

By sheer coincidence, at that very time a vacancy in the Privy Council for an Indian judge was about to occur. Sir Herbert using the good offices of the governor general succeeded in persuading the Secretary of State for India to the appointment of Sir. Shadi Lal against that vacancy, Sir Shadi Lal's excuse was that living in London for him would be troublesome as his health did not permit it. The governor said appointment to the Privy Council was a singular honour and it would be improper to turn it down. Advancing health reason, in any case, would give rise to complications as it would equally go against his holding on to the office of chief justice. Left with no choice, Sir Shadi Lal agreed to go to the Privy Council. In his speech at the farewell function hosted by the bar on the last day, he was bitterly critical of the government. As he read through the typed script of his speech, Bakshi Tek Chand continuously wiped tears.

Sir Jogindar Singh's cruel joke with Sir Shadi Lal: In the closing days of his tenure, Sir Shadi Lal started getting farewell addresses from various groups. Babu Fazal Din, his reader, showed me the copy of a printed address which Sikh lawyers had presented to him. The address, in English, was an encomium eulogizing the impartiality of the chief justice and his fair treatment of one and all. To such a panegyric in English was added Hafiz of Shiraz's verse in Persian:

عمرِ تاں باد امدام اے ساقیانِ بزمِ جم
گرچہ جامِ ما تشد پُر مے بدورانِ شما !

[I pray for your long life oh Saki of Jamshed's bounteous court though never was filled my goblet to the brim]

Sir Shadi Lal knew Persian. The presenter of the address could not have expected him not to see the sarcasm in it. The most likely inference was that the presenters of the address themselves had fallen victim to someone else's cruel joke. Some days later, Mr. Justice Dilip Singh hosted a dinner for Sir Shadi Lal at his house. I was also invited. From among the ministers Sir Jogindar Singh and from the lawyers, besides me, Mr. Bhagat Ram Puri were invited. The rest were all Indian judges. It was a small party. When the guests moved to the dining room they saw white napkins tied to some chairs. Someone asked the host its significance. He said that it was to identify those among the guests who did not eat meat as the servants could blunder. White napkins were tied to the chairs of the vegetarians. On that Sir Jogindar Singh reported that it was the right thing to do as their Guruji (founder of Sikhism) had said that though some people did not eat animal flesh but did not balk at sucking human blood.

That reminded me that Sir Jogindar Singh knew Persian well and was also acquainted with the poetry of Hafiz. When eating ended and guests moved out into the garden, I took Sir Jogindar Singh to a side and asked him as to how Hafiz's verse had been so incongruously inserted in the address of the Sikh lawyers. Laughingly he said some simpletons had approached him to join them in presenting the address. He told them he was not concerned nor Sir Shadi Lal had ever done him a good turn. They should present the address as flattery was their motive. They explained that such was not their intention but the chief justice had himself desired that an address should be presented to him. If he (Sir Jogindar Singh) did not wish to join them he should, they entreated, at least write an address for them. He declined. They went away only to come back with address written requesting him to review and correct it. He suitably corrected the English text and also put in Hafiz's verse.

Mr. Justice Edison: A little before his appointment as judge of the high court, Mr. Edison had become president of the election tribunal. The case of Pir Akbar Ali, a lawyer of Ferozepur, was before that tribunal and I was his counsel. Sir Abdul Rashid was representing the opposite side. In the first hearing, the president briefed the parties about the regulations. I sought clarification in a matter that worked to my disadvantage. My second question also met with a similar fate. So did the third. Simultaneously, the president said that it was my persistent questioning that had resulted in such a situation. For "persistent questions" he used a phrase which I thought was inappropriate and indecent. I reminded him in a manner of rebuke that the judges and lawyers were links in a chain and it was incumbent on both to respect each other. I insisted he withdraws the offending word. He explained that it was not his intention to insult. Charged with emotion, I said the word was invariably used to convey contempt and if he did not know he should have refrained from using it. He inquired from the other members of the tribunal whether the word he had used was really inappropriate.

The other members, Mr. Martin and Mr. Raleigh (both were barristers) said indeed it was. Mr. Martin pointing at me in astonishment asked whether the president had used that word about me. On that the president expressed regrets and said he was not aware of the derogatory sense of the word. Later, while drawing the attention of Mian Abdur Rashid to a matter in which he had not adhered to a certain regulation, he observed that I had followed the right course. I said I need not then address the tribunal. At the end when I asked a question from his reader, the president took up the file himself and answered it in a polite manner. I thanked him and took leave. That day Mr. Raleigh came to the bar room after the tribunal had adjourned and told the lawyers present that the president talked harshly to every member of the bar who appeared before the tribunal but they all acquiesce in silence. On that day, Mr. Raleigh continued, the president had used a word which Zafrulla did not like. "Zafrulla reproved him leaving no choice to the president but to apologise. He has, thus, vindicated the prestige of you all today", he said.

The work of the tribunal over, Mr. Edison resumed his post as judge of the high court. I was a little apprehensive of his conduct but from the very first day he behaved like a gentleman. I also cast the incident in the tribunal out of my mind. He was an able man who worked with speed which sometimes was troublesome for slow-moving counsels. Once when together at a dinner in London, he asked me whether I drink. I said, never. He said but the Quran had not prohibited drinking wine altogether. I told him that, being a judge, a verdict pronounced by him in matters legal would be binding on all but if he resorted to the interpretation of the Quran it would not be in order. Though not a scholar I understood Quran better than him. The injunction of Quran against drinking was categorical admitting of no ambiguity.

Mr. Justice Harrison:Mr. Justice Harrison was a capable judge of deep insight but of fragile temper. To top that, he could not restrict his drinking to moderation. When he lost temper, the lawyers humblest to the exalted – Bakshi Tek Chand not excluded – bore the brunt of his uncontrolled rage. It was nothing but Allah's grace that I remained an exception from beginning to the end. The apparent reason was that even those among lawyers who studied and prepared their cases well failed to assess the temperament of judges.

Certain things especially irked Mr. Justice Harrison – an erroneous statement of facts by a lawyer, for instance, enraged him. So would an exaggeration. If he asked a question it was important that the answer be instant and as brief as possible. If a clarification was required that had to wait for another occasion. Long speeches would upset him as he would quickly get to the core of a point. He disliked repetition. To state a point once but clearly was enough. I was able to measure his intelligence and temperament at the very outset. In criminal appeals or review of illicit spirit distilling offences he was particularly lenient for in his view the law on the subject was unduly harsh. He used to say that a moneyed man fond of drinking foreign liquor could stack his seller with bottles and barrels from floor to ceiling with law taking no cognizance but a

villager driven by addiction distilling a canister of cheap country spirit suffers the rigours of jail. He could not, he would say, change the law but had the discretion to impose a lenient sentence. In such offences mostly Khalifa Hakumat Rai would appear for the plaintiff and the case would proceed like this:

Justice Harrison: Mr. Hakumat Rai, the case is clear admitting of no doubt.

Khalifa Hakumat Rai: My lord is right, but the sentence awarded is severe.

Justice Harrison: No doubt, the sentence imposed is stiff. Imprisonment of three months would meet the ends of justice and that is what I propose.

Khalifa Hakumat Rai, the Lawyer:Khalifa Hakumat Rai was one of his own kind. A colourful character, all the criminals of Majha (the tract between Sutlej and Ravi rivers) were his disciples. After committing an offence, they would run straight to him, narrate the occurrence and seek his help. He would rake his mind and find some way of outright acquittal or lighter punishment.

Once narrating an incident to me he said that he always tried and some time succeeded in evading the punishment prescribed by a man but no device works to escape Divine punishment. Recounting details, he said on a wintry night a client hailing from a village near Kahna Kachha came to him at Lahore around 10 or 11. He said he had come straight to him after killing an adversary outside his village, and that he (Khalifa) should somehow contrive to save him. He dispatched the man straightaway to Delhi Gate to buy a bottle of country liquor, quaff it, hurl invective and enter into a violent argument with some passer-by in front of the police station. The policeman would lock him up for the night. On being questioned he should give his correct name and address and when they leave him off in the morning he should head straight for the village. And if he was arrested on suspicion of murder he should advise his kin to come straight to him (Khalifa).

He did as was told. When he arrived in the village the police was there looking for him. Arrested, he professed innocence and deposed in the magistrate's court that that night he was not present in the village. The dead body of the murdered man had been found in a field at daybreak. It was alleged in the report that in pre-dawn darkness the complainant, passing by the said field, had heard the accused and deceased abusing and assailing each other. As he went toward them he saw the deceased fall on the ground and the other man run. Feeling the body of the deceased in semi-darkness, he thought he was not breathing. In day-light it was confirmed he was dead. He went to the village and informed the *Numberdar* (village head) who advised him to report to the police.

The magistrate committed the case to the sessions. In the sessions too the accused stated that he was not in the village that night but had gone to Lahore that very evening on an errand. That done, he had gotten into an argument with a passerby. A police station was nearby. They locked him up for the night. On being released in the morning he had gone straight to the village where he was arrested. He had no knowledge of the murder. In defence the police register and its keeper were produced. Both corroborated the contention of the accused. He was exonerated and set free.

Divine punishment: Set free, the man returned to his village. Stricken by plague he died four days later. Khalifa Hakumat Rai told me that he was one of the three sons of a man of letters who held the Holy Quran in high esteem. He had taught Quran to them like a lesson. He told me he respected me because I loved knowledge and understood Holy Quran. Once Khalifa and I travelled by train from Lahore to Fazilka to conduct a case there. The journey was through Majha tract. At every station the train stopped, Khalifa would stand at the door to exchange greetings with his clients. It was dusk by the time we reached Ferozpur where we were to transfer to another train. In the intervening period Khalifa went to the refreshment room to "refresh" himself. When the train left Ferozpur and darkness fell Khalifa, overwhelmed by sentiments, turned to invoke Divine

forgiveness. His voice slowly rose to an emotional crescendo "O my Lord, I am but a humble creature, I have committed numerous sins for I am frail, but then such is this profession what can I do?" He would beat his head with both hands as he repeatedly recited the Quranic verse

لَا إِلٰهَ إِلَّا أَنْتَ سُبْحَانَكَ إِنِّي كُنْتُ مِنَ الظّٰلِمِيْنَ ۔

[There is no God except Thee, Holy art Thou. I have indeed been a wrongdoer.]

followed by mournful incantation for Divine mercy till we reached Fazilka where he was received and led away by a group of his clients.

In court of Mr. Justice Harrison:Mr. Justice Harrison liked arguments to be brief. I filed an appeal in his court in a case in which one of the three accused was sentenced to seven years' rigorous imprisonment and the other two to five years. Eighteen eye-witnesses to the occurrence had appeared for the prosecution. Their statements suffered from no contradiction or discrepancy. If I were to follow the standard practice of going through the whole evidence, up to two hours would have been consumed which would have weighed heavy on the delicate nerves of Mr. Harrison. The prosecution story read 18 times over would have left a firm imprint on his mind rendering any argument unnecessary for their vindication. Thus I chose to state the facts briefly supported by 18 eye-witnesses whose statements showed no contradiction deserving his attention.

My submissions were: Accused number one had been awarded sentence sterner than the other two because in the course of fighting he had run up to the village and induced some more men to join in the affray. Indeed a witness had so stated but another witness had conceded in the cross examination that the accused was present at the site of the fight all along. I referred to the relevant page and line of the record followed by a plea for reduction in his sentence. The uncle of the second accused, I submitted, was believed to be head of the band but neither

the uncle nor the nephew had been shown to be linked to the incident in a manner that occasioned the fight. Nevertheless, not only was the nephew included among the accused but an attempt was also made to implicate the uncle. The uncle was in fact named in the first information report but later when it became known that on that very day he had gone for evidence before a sessions court 20 miles away, the witnesses omitted his name from their depositions. An obviously unjust attempt was thus made to implicate the uncle giving rise to the suspicion that the nephew might have similarly been implicated.

"The prosecution evidence as a whole therefore, required very careful evaluation. It would have been surely your experience that in cases where a person is unjustly accused, the evidence is contrived to place greater burden of the offense on him than the other accused. Such was the situation in the instant case. It is alleged that the accused carried an axe but the medical evidence showed no injury on the deceased with a sharp-edged weapon but this objection was refuted by alleging that the accused had wielded the axe to hit with the blunt side.

Justice Harrison: Have you ever tried reverse wielding of an axe?

Zafrulla Khan: No Sir.

Mr. Justice Harrison: Try it some time. Wielding a heavy axe in reverse is far more difficult than hitting straight. An axe is so designed that its sharp-edge side is thin and light while the blunt side is thick and heavy. Struck with force, the sharp edge goes deep into the wood to break and split it wide open. That makes the reverse strike difficult".

Concluding the arguments, I pleaded for benefit of doubt to accused number two for the evidence against him was not free from loopholes and, seemingly, had been unjustly implicated. I had no plea to make for the third accused, I submitted.

Answering my arguments, Mian Mohammed Rafi who was counsel for the accused contended that the charge of murder was borne out by 18 eye-

witnesses. Their evidence suffered from no discrepancy, hence there was no room for altering the lower court's verdict.

Mr. Justice Harrison: All these facts have been conceded by the counsel for the accused, your reply, if any at all, has to be confined to the reasons given by him.

Mian Mohammed Rafi submitted that the reasons advanced were too feeble to get any credence when juxtaposed against incontrovertible facts.

The judge dictated the order straightaway. Summing up the evidence briefly and endorsing the reasons given by me, he acquitted accused number two on the benefit of doubt, reduced the imprisonment term of accused number one from seven to five years and dismissed the appeal of the third.

As I came out of the court room, Chaudhry Bashir Ahmed (my junior) said what kind of pleading it was that sought acquittal for one, lighter sentence for another and no relief at all for the third. He felt being the counsel for all three, it was incumbent upon me to try to secure acquittal of them all. I said I saw no possibility of the acquittal of all three. Had I tried to prove that they were all innocent or, in other words, the incident alleged by the prosecution had not at all occurred or, if it had, it was perpetrated by some super beings and not by men, or by some other men it would have been so preposterous a plea as to result in outright dismissal leaving the sentences of all three intact. No doubt, I was counsel for them all and it was my duty to secure maximum relief for them but on perusal of the record and extensive thought given to it I followed the lines, which, I thought, would be most profitable to argue and the judgment had vindicated my evaluation.

Yet another case in Justice Harrison's court: Justice Harrison exercised extraordinary care in dealing with abduction and like offences. In a case, two scions of a landed aristocracy were accused of rape. Both were sentenced to rigorous imprisonment for five years. I was engaged to appeal against their conviction On the day of the hearing I told the man who had engaged me that

study of the record suggested that had the accused in the trial court taken the plea of previous liaison with the woman as the motivation for going to her, very likely the magistrate would have accepted it. And even if he did not, it could have found acceptance in appeal. He said such was the advice of his counsel but his sons and nephew were noble young men of character who were wholly averse to owning such an ignoble accusation. The episode had its origin in vendetta. Impressed by this assertion coming from a man who himself seemed to be of noble disposition, I was convinced that if the accused were innocent they would be, God willing, acquitted.

I advised him to go and pray to invoke Divine mercy and keep praying till the decision. The appeal was in the court of Justice Harrison. After narrating the prosecution story briefly, I sought to draw attention of the judge to three aspects. First, the woman's claim to have identified the accused by the light of a lantern by her bedside, I said, it was wholly incredible for the accused not to have remove or extinguished the lantern – if it was at all there. Secondly, according to the husband of the woman, he had rushed back home from the night patrol duty on hearing his wife wail. On the way, he saw the accused run past him. One of them had a blue sheet across his shoulder. He identified the accused.

I drew the attention of the judge to the site sketch prepared by the police on which was marked the spot at which the witness had heard the cries of his wife as also the spot where, according to the witness, the accused had passed by him. A perusal of the sketch however established that even if the witness were to reach his home fastest from the point where he was by the shortest route, it was not possible for him to pass by the second spot. He could have gone there only following a circuitous route. Thirdly, the night was dark which would permit neither identification of a man in sprint nor of a coloured cloth. The assertion of the accused that one of the accused had a blue sheet on his shoulder exposed him to be a liar.

Justice Harrison: It is customary for a witness in this country to try to answer every question. Therefore, even if the accused had described the

colour of the sheet in cross-examination it could be ignored but if he mentioned it in the examination in chief he is a liar.

Zafrulla Khan: The colour is mentioned by him in the examination in chief in its very first part.

Justice Harrison: The witness told a lie.

The judge after hearing the prosecution counsel dictated the judgment acquitting the accused basing the acquittal on my three submissions. Chaudhry Fazaldad went looking for the client only to find him prostrate on a grassy turf oblivious of the world around invoking mercy at the altar of the Supreme Ruler of all rulers. Given the news of acquittal, he uttered "all praise belongs to Allah."

Justice Agha Haider: The approach of Justice Agha Haider in such cases was to the opposite. The abduction and like offences he would hold as proved just on the statement of the woman involved considering corroborative evidence unnecessary. In awarding sentence he tended to be stern. Often he would enhance it by adding lashes. However, where the character of woman was called into question, he would be extremely lenient.

An appeal for reduction in sentence: A farmer used to live on his irrigation well outside a village in Dera Ghazi Khan. He woke up one night not to find his wife in her bed only to be found in a cattle-shed with her paramour. Picking up a piece of heavy wood lying nearby he killed them both and bolted the door of the hut from inside. He harkened the first man to arrive at his well in the morning to tell him that he had killed the dog and the bitch and he should call the police over. He narrated the incident to the police and stuck to his version in the courts of the magistrate and the sessions and was sentenced to five years' rigorous imprisonment. I was engaged counsel in appeal. The only ground for appeal was that the sentence was unduly severe. The appeal came up before the bench of Justice Agha Haider. Mr. Des Raj Sahni was the state counsel. I narrated the facts.

Justice Agha Haider: Tell me, did the accused kill the woman and her paramour both there and then.

Zafrulla Khan: Yes, my lord, he killed both.

Justice Agha Haider: You need not say more, leave the quantum of sentence to me. Mr. Sahni, do you have anything to say?

Mr. Sahni: My lord, the accused brutally murdered two persons. An aggregate sentence of ten years cannot be termed excessive.

Justice Agha Haider: But have you given a thought to the facts? In the given circumstances I personally would not hold the act of the accused an offence at all. It is, however, an offence under the law which binds me to award some punishment. What could be greater provocation?

Mr. Sahni: My lord people at this stratum of society are not much provoked by such things.

Jutice Agha Haider: How much provocation? The degree of provocation is manifest in the conduct of the accused.

Mr. Sahni: But, my lord, the accused here has acted in a cold-blooded and determined manner, sudden rage played no part.

Justice Agha Haider (irked a bit): Mr. Sahni tell me, how would have you reacted were you in place of accused.

Not getting a response from Mr. Sahni, Justice Haider added well, I must tell you, were you not to act in the manner the accused did you couldn't ever lay claim to self-respect.

The judge pronounced a year's rigorous imprisonment for each offence. Mr. Sahni grumbled incessantly. In my view even that much sentence was stiff in given circumstances.

Yet another appeal in the court of Justice Agha Haider: Hearing of yet another appeal filed by me immediately followed. A constable hailing from a Campbellpur village but serving in Rawalpindi police applied to the superintendent for ten days' leave to go home to restrain a co-villager, his

application said, who always indulged in disorderly conduct. Reaching his village at nightfall, instead of going to his own house he went to the house of his cousin. There he collected some of his kinsmen. Armed with bamboo staves and axes all of them went to the house of the constable, knocked at the door and on being admitted saw, besides the constable's wife, the very man whom he had named in his leave application. They all fell on them causing grievous hurt to both. The man succumbed on the spot while the woman survived. Finding them all guilty, the sessions judge imposed on them sentences adding up to 14 years' rigorous imprisonment. I narrated the facts.

Justice Agha Haider: Mr. Zafrulla Khan, in my view the offence falls under section 304-A (culpable homicide not amounting to murder). What is your opinion?

Zafrulla Khan: My lord, I agree. The question is only of sentence which, bearing the facts in mind, is very severe.

Justice Agha Haider: No doubt, no doubt. Leave the sentence to me. Mr. Sahni, what have you to say about the sentence?

Mr. Sahni: My lord, in this case provocation is not an issue. The accused wrote in his leave application that he wanted to go home to exterminate the deceased. Starting from Rawalpindi so determined, on arrival in the village he gathered his relatives who attacked the accused pursuing a murder plan. Thus, it was a calculated murder which made it obligatory for the sessions court to hold them guilty under section 302 and sentence them to death. The accused are lucky to have been spared their lives. Rigorous imprisonment of 14 years is a light sentence. The desire of my learned friend to seek further reduction, whatever the reason, amazes me.

Justice Agha Haider: What was the purpose of the deceased in going to the constable's house and that too at night time?

Mr. Sahni: My lord, the husband was aware of this position before hand as is evident from his leave application. It was a position persisting over a period of time. How could it be termed sudden provocation?

Justice Agha Haider: Mr. Sahni you must have heard of the last straw that broke the camel's back. The situation had persisted long enough to strain the endurance of the husband to the breaking point. In my view the offence arose out of provocation for which two years' rigorous imprisonment to each would meet the ends of justice.

Poor Mr. Sahni often supported severity of sentence only to irk the judges. In this case, though, his contention deserved consideration under the law, the judge was not prepared to consider it because of his own opinion that a wronged husband had done well to have dispatched his tormentor to the end he deserved. If the law viewed it as an offence so be it but punishment must fit the nature of the crime – that is the demand of real justice.

Journey to England: In 1927, the budget session of the Punjab Council was held in Lahore. For its second session in summer it moved to Simla. By then it had been decided that the Royal Commission which, according to a commitment made in 1919, was to be constituted 10 years after the practical experience of constitutional reforms, would, in fact, be appointed in the closing months of 1927. With that in view, the Muslim members of the Punjab Council decided to send a representative to England to put the Muslim viewpoint on the impending constitutional scheme for India before the members of the, Parliament and other leaders of public opinion. It was Mian Sir Fazle Hussain's proposal and on his advice I was chosen for this mission as Mian Sahib himself was to attend the Assembly of the League of Nations as a member of the Indian delegation. I sailed to Naples and onward to Rome by road halting on the way at that grim reminder of a vanished civilization – ruins of Pompei. In Rome, for three days I went round the monuments of the city that has been inhabited without a break for nearly 3000 years. At Geneva I called on Mian Fazle Hussain to get his

instructions. In London I was introduced to Dr. Shafaat Ahmed Khan who was there already as a representative of the Muslim members of the UP Council. I rented two decent rooms in Bayswater area and, by a lucky coincidence, acquired the services of a well-trained steno typist. Maulana Abdur Rahim Dard incharge of Ahmadiyya mission in London, and my dear old friend, Dr. Oscar Burnler, facilitated my task in a schedule crammed with meetings, speeches, and dictating notes.

Opportunities also came my way to see a number of distinguished people. I also called on Lord Sinha, the first Indian judge of the Privy Council. He said he was one of those who, if the British ever were to announce to quit India, would beg them on bent knees not to go.

It was also my good fortune to call on Right H'blr Syed Amir Ali. By then very old, he lived in a house in Sussex owned by his son Syed Tariq Amir Ali. Like his father, Tariq had also become a judge of Calcutta high court and on retirement was appointed legal adviser to the Secretary of State for India. Syed Amir Ali invited me to lunch and treated me in a most affectionate manner. The conversation all along was in Urdu. He gave me valuable advice about my assignment in London. I left his company overwhelmed with a feeling of gratitude. A year later he died. He felt passionately for Islam, having rendered services most sincere and invaluable to the cause of Islam and Muslims. Some most learned publications on the doctrine, history and teachings of Islam are his memorial.

Every morning I would record a summary of the meetings and views exchanged during the previous day. As far as I can recall, that was the only occasion I kept a regular diary. On return to India, I presented those notes to Mian Sir Fazle Hussain. How far I succeeded in achieving the objective of the mission entrusted to me is not for me to say but it was an experience most useful.

Appointment of Simon Commission: I was in England when appointment of the Simon Commission was announced. Besides Sir John Simon

(chairman), Major Clement Attlee MP was the other member of the commission who later held offices of high public responsibility. In 1945, soon after he became the Prime Minister, he made a declaration on India's independence which was given effect exactly two years later. No Indian was member of the commission. Every community of India was despondent. Demonstrations were held everywhere when the commission came to India in 1927 and again in 1928. Later, it was announced by the government that a central committee will be attached to commission which will have members elected by the Central Council and the Council of States and, also, in every province a committee elected by the provincial council will be attached to the Commission and the Central Council.

But even this announcement failed to assuage the agitated public opinion. Despite an announcement that the central and provincial committees will enjoy full freedom to cross-examine the witnesses and that each committee would make its own report, the people knew that the committees were appointed only to placate the Indian public opinion, and would make little impact on the report of the commission. About the commission itself the general impression was that though called a commission its reins were held by a single man – its chairman. Sir John Simon, a liberal to begin with and attorney general in Mr. Asquith's cabinet, had gradually drifted into conservatism. His views on India's constitutional future were reactionary. All such forebodings were confirmed by the report of the commission.

The commission's first tour of India was toward the end of 1927 but it embarked on investigations during its second tour in 1928. The Indian National Congress did not cooperate with the commission but the central and provisional committees remained associated with its deliberations. When a proposal for election to the committee came up before the Punjab Council, a number of arguments were advanced against it. I endorsed most of them and firmly refuted any suggestion that the committee was a substitute, in any manner whatever, for the nomination of Indians on the commission itself. I also emphasised the point that there could be no legitimate reason for not including Indian members in the

commission, and thus we should pin no high hopes in its report. Notwithstanding that, I expressed to the view that we should not dissociate from the proceedings of the commission. Our cooperation would cause no harm nor we should expect any gain. Yet in the course of proceedings, such matters could be brought before the commission as might not figure in the absence of our members.

Secondly, the provincial committee in its report could elaborately put across its viewpoint which may be of some benefit later. The proposal was carried and provincial committee was established. The seven members of the committee comprised of Europeans, Sikhs, Hindus and Muslims. Sardar Sikander Hayat and I were among them. The committee elected Sardar Sikander Hayat as its chairman. Before election to the committee a word went round that three ministers would also be on the committee. Malik Feroze Khan Noon, Lala Manhor Lal and Sardar Jogindar Singh were the ministers then. It was said that the proposal for the inclusion of the ministers in the committee had the support of Mian Sir Fazle Hussain. May be it had, but since it had none in the council, it was not put forth at the time of election.

Raja Narinder Nath:Raja Narinder Nath belonged to a distinguished Kashmiri Brahmin family. He was an indulgent gentleman of impeccable habits and convivial temper. Starting as an assistant commissioner he became leader of the Hindu Party in the Punjab Council after retiring as commissioner. Well-versed in Persian and Arabic he also knew the translation of the Holy Quran. Though impressed by the Islamic way of life, he was held in shackles by the family traditions and by political and social environment. His meals were prepared by a Muslim cook. He did not confine his alms and charity to Hindus. His son Anand Kumar was our contemporary in Government College.

In the council one of the members of Hindu Party was a lady named Lakhvati Jain. One day she gave notice of an adjournment motion which perturbed Raja Sahib a great deal. At tea, greatly excited, he said "may God save us all from these women, look what she has done today". He elaborated that

Lakhvati's motion was about the harshness with which, according to her, the police had treated the striking students of Victoria Diamond Jubilee Institute. The fact was, he explained, that in his capacity as chairman of the governing body of the Institute he had received a telephone call from some students that they were not a party to the strike called and wanted to go to classes yet they were being prevented by the strikers. He had rung up the deputy commissioner to say that arrangements must be made to let those students enter the Institute who wanted to attend the classes. The deputy commissioner had sent some constables across who restrained the strikers from obstructing the students. By her unjustified notice of adjournment motion, the cynical woman had caused him embarrassment. I suggested he should make her see reason. "How would she understand" he replied, "after all she is deficient both in mind and in religion". I asked him why was she made a member of the party. His reply was spontaneous:

شاوروا ھُنّ وخالفوا ھُنّ

[Ask them and they oppose it.]

In 1930 he was on the same ship by which I was going to London to attend the first Round Table Conference. He asked me one day on which particular verse of the Holy Quran mysticism was based. I said I had not studied mysticism and thus could not say anything with certainty but among the verses that the mystics had in view the verse

اَللّٰہ نور السّمٰوات والارض

[Allah is the light of the heavens and the earth]

He said that indeed was the quintessence of mysticism.

Meeting with Raja in London: In London he invited me to dinner once. There being no other guest, I guessed he wished to say something confidential. Ultimately, he came to the point and said that while the conference debates the contentious issues concerning the whole country, we should try to reach an

understanding on Punjab. Asked to elaborate, he said there could be an accord on not dragging communal differences into politics. I said that would be wholly appropriate. He said a beginning could be made by rectifying all existing laws which accentuate such differences. I said it was a very good suggestion. He enquired whether to support amending or repealing all laws that discriminate. I said I was amenable to eliminating discrimination based on communalism but the laws and regulations which were intended to ameliorate, or safeguard, the economic interests of the depressed classes must remain unscathed. "What law, for instance," he inquired. I replied "for instance, the Land Transfer Act". Crestfallen he observed "where is the gain then?" I said "nothing is gained only dinner is lost." He roared in laughter and bade me farewell on that hilarious note.

Unionist party's organ "Daure Jadid": The Punjab (Reforms) Committee had put in hard work. When Simon Commission came to Lahore to commence public hearings, it naturaly aroused widespread interest. In those very days, a weekly paper called "Daure Jadid" had commenced publication under the aegis of the Unionist Party. Syed Inamullah Shah was its editor. Keeping an eye on its policy and other affairs on behalf of the party was entrusted to me. Writing a weekly article on the proceedings of the commission was also my responsibility. Once Dr. Gokal Chand Narang told me: "I receive, the paper of your party. The weekly article it carries on the proceedings of the commission is very interesting. References to me in it are always deferential but criticism is also strident". "The editor", he said, "seems to be a shrewd guy."

Sir Joginder Singh's evidence before the Commission: Sir Joginder Singh was sympathetic to the Unionist party but would often strike his own policy line. When he appeared as a witness before the commission, Sir Fazle Hussain quietly came in and sat behind him. Sir Joginder Singh, thus, had to fight his battle on two fronts – the commission in front and Sir Fazle Hussain at his back. His discomfiture became obvious in a short while. His evidence was still in

progress when the commission adjourned at mid-day. As it reassembled after lunch the chairman announced that Sir Jogindar Singh had been taken ill and would not be able to complete his deposition.

Proposal for the separation of judicial departments from the executive: Some among us had forcefully suggested to the commission to place the judicial and executive functions in separate departments. To examine this question Sir John Simon formed a sub-committee and convened its meeting at the Government House. It was said on behalf of the government that since the magistrates performed both judicial and executive functions, separating the departments would entail extra manpower and cost. I suggested a minor change at that stage which could have satisfied everybody. The report by the sessions judges on magistrates who perform judicial functions, I suggested, must go to the high court which should also issue orders concerning their transfer and promotion without the district magistrate, commissioner or government intervening. The chief secretary promised to consider it but nothing happened.

Simon Commission Report – two identical gains: The report of the Punjab Committee was primarily an outcome of the thinking and hard work put in by Sardar Sikandar Hayat Khan. The committee's European member, Mr. Owen Roberts fully subscribed to the majority view. In matters where other members dissented, Mr. Roberts agreed with the Unionist Party. At the end of its provincial sittings, the commission exchanged views with all the provincial committees at Delhi. The commission's report however was a product of Sir Simon's own ideas. In the preparation of the first volume the commission's secretariat must have contributed a great deal but it was merely a historical narration, though most useful and valuable from that angle. The commission's secretary, Sir Findlay was a senior official of India Office who later became deputy secretary of state for India. During the Second World War he rendered valuable services in the War Department. Sir Joseph was a senior officer of the

Indian Civil Service who later became a member of the Governor General's Executive Council. The second part of the report was a big disappointment. Insofar as the constitutional future of India was concerned, it turned out to be a worthless document and was practically consigned to the waste-paper basket.

Two side-benefits however flowed from the activities of the commission. First, the matters debated before the commission aroused great interest both in Britain and in India in setting afoot earnest thoughts and attention. Secondly, it became obvious to the British that its relationship with India had entered a final and decisive phase. The era of reforms was coming to a close and era of independence was about to dawn. The question of India's independence could no longer rest at the stage it was. The Labour Party was in power in England for the second time in 1930. Prime Minister Ramsay Macdonald was sympathetic to India's political aspirations from the very beginning. His relations with the Congress were friendly. His Secretary of State for India, Mr. Wedgewood Benn, originally a Liberal who later joined the Labour Party, also sympathised with India's political aspirations. He later became Lord Stansgate. His son campaigned for an end to hereditary peerage which carried the privilege of sitting in the House of Lords before contesting for the House of Commons. His campaign succeeded and a suitable constitutional amendment resulted.

Delegates to the First Round Table Conference:To consider the constitutional future of India anew, Prime Minister Ramsay Macdonald convened a Round Table Conference in London in 1930. Its sessions started in St. James's Palace in October. The Congress refused to participate. All the delegates were nominated by the government. Quite a few among them were rulers of the (princely) states. Included in the British delegation were members of both Houses of Parliament and three political parties. The absence of Congress delegates, no doubt, created a void and all the rest were handpicked by the government. Still the presence of men like Mr. Shastri, Sir Tej Bahadur Sapru, Mr. Jayakar, Sir Chaman Lal Sitalwad, Mr. Feroze Sethna, Sir Maneckji Dadabhoy, Mr.

Chintamuni, Sir A.P. Patro, Sir Rama Swami Mudliar, Sir Aga Khan, Maulana Shaukat Ali, Maulana Mohammad Ali, Sir Mian Mohammed Shafi, Mr. Jinnah (Quaid-e-Azam), Sir Syed Sultan Ahmed, Nawab of Chhattari, Khan Bahadur Hafiz Hidayat Hussain, Sir Abdul Hakim Ghaznavi, Maulana Abul Kassim Fazlul Haq, Sir Ghulam Hussain Hidayatullah, Nawab Sir Abdul Qayyum Khan, Begum Shahnawaz, Sardar Ujjal Singh, Saradr Sampuran Singh, Mr. Joshi, Mr. Ambedkar, Nawab of Bhopal, Maharaja of Bikanir, Sir Akbar Haidri, Sir Mirza Ismail, Sir Liaquat Hayat Khan and many other distinguished men ensured full expression of varied viewpoints in the conference.

The secretarial arrangements for the conference were of very high order. For the duration of the conference and later during the meetings of the select committees no inconvenience was experienced. Khan Bahadur Mian Abdul Aziz Falkpaima and Mr. Allama Latifi were among the secretariat staff for the main conference. Mr. Latifi stayed on for the meetings and was of great help to the Muslim delegation. Syed Amjad Ali attended all the sessions at his own expense. As secretary of the Muslim delegation he rendered commendable service. For informal meetings, the Muslim delegation use to meet in the room of Sir Aga Khan in Ritz Hotel.

Uncontested election to the Punjab Council: I was among those invited to the Round Table Conference and was all set to travel when an unexpected obstacle arose. When elections to the legislative council were announced in 1930 I submitted to an assembly of Muslim men of distinction and leaders of public opinion that I had represented the Muslim constituency of Sialkot district for nearly four years. If their feeling was that I had tried to perform my functions with due care and sincerity to their satisfaction, and they wished me to continue in that capacity, remaining in their service would be a privilege and I would greatly value their trust. But if in their opinion the responsibility should be assigned to someone else, submitting to their judgment I will not put forth my

candidature and still carry no grievance. All present unanimously expressed the view that they did not want a change. I was returned unopposed.

Governor Punjab's good opinion about me: A group of Muslim members of the Unionist party was not amenable to the appointment of Malik Sir Feroze Khan Noon as minister. They said that in the election of 1930, he and his father Nawab Malik Mohammed Hayat Noon, who was then a commissioner, had opposed their election. Those among them who were not elected were understandably aggrieved and opposed Malik Sahib's appointment. Some other members for reasons of their own were also opposed to his appointment. Chaudhry Sir Shahabuddin had been returned and was sure that he would be once again elected president of the council. He wasn't at all interested in a ministerhsip for himself but was opposed to Sir Feroze Khan Noon becoming one. He summoned the Muslim members of the party to his residence for consultation more than once but no decision could be reached on the name to be put forth for inclusion in the ministry. My relations with Sir Shahabuddin were very friendly and he too reposed confidence in me. He tried to persuade me to agree to my name being presented to the Governor for the ministership. I was aware of Sir Jaffrey de Montomorency's good opinion of me because earlier in the year Mian Sir Fazle Hussain had mentioned to me that the Governor had told him that for the temporary vacancy of a judge of the high court then arising he had tried to secure the agreement of Sir Shadi Lal to my appointment but he had not agreed. Sir Jeffery's opinion, therefore, was a source of special satisfaction to me for there had indeed been an incident that could have caused a rankle. I feel persuaded to recount that incident here.

Adjournment motion in the Punjab Council for enquiry into the conduct of a British deputy commissioner:Speaking in the Punjab Council, Chaudhry Abdur Rehman (of Rawman in Jallundar district) alleged that Mr. Vorsley, deputy commissioner Jallundar, had held out a threat to him. He was a member

of the Azad (Independent) party and Chaudhry Afzal Haq was its leader. I advised him to bring an adjournment motion on the treatment meted out to a member of his party by an official. He said his party, being small, the protest would have little effect. It was not the question of a party but of the decorum of the council, I tried to explain to him. Assured of support from other parties he agreed to move the adjournment motion.

On individual sounding of the members I found most among them were inclined to support the motion to the extent of enquiry into the alleged incident. Only Maulvi Sir Rahim Buksh while expressing inability of his party to vote against the government agreed to stay neutral. His reaction made me believe that the motion would succeed as I did not expect him to go even that far. In the Hindu Party I spoke to Pundit Nanak Chand. I had to allay his apprehension that once having ensnared his party I would not vote against the motion. I assured him that it was not a party issue and I would undoubtedly vote for it and expected the Unionist Party members to act likewise. The motion was presented. Mian Sir Fazle Hussain, leader of the House, opposed it. His emphasis was on the point that the deputy commissioner, contacted on telephone, had denied the allegation. Thus it was the statement of a member of the council on one side and that of the deputy commissioner on the other. No third person was present. Why then institute an inquiry when it could reveal nothing more?

Since it was I who had advised Chaudhry Afzal Haq to move the adjournment motion I felt it was incumbent on me to reply to the arguments of Mian Sahib. I rose to clarify that it was not a party issue but that of the prestige of the council. We should refute the statement neither of the member nor of the deputy commissioner. The demand was for ascertaining facts only. Though it was the word of one man against the other, I submitted, it must have been the experience of the leader of the House, as of many among us, that an impartial enquiry can bring to light clues which, when untangled, help in reaching a right conclusion. Since a responsible member of the council, I continued, had alleged that he was summoned and intimidated by the deputy commissioner, it was

obligatory on the council to demand an impartial enquiry. Were the matter to rest where it was, the dignity of the council and its members would suffer an irreparable setback.

As I finished speaking, Maulvi Sir Rahim Buksh spontaneously shouted "bravo, we shall support the motion." Put to vote the motion was carried. A day or two later Mian Sahib accosted me to say that having got the motion through in a fit of zeal I should be prepared to suffer its consequences. He said I should know how sympathetic Governor Sir Jeffery was and how he had been supporting all of our just demands. The governor had told him that increasing the powers of the council was under consideration and he was ready to support its legitimate expectations but the motions of the kind would be quoted as an argument against the council for not exercising even its limited functions in a responsible manner.

I submitted to Mian Sahib that considering the situation with which the council was confronted, it would have been accused of evading its responsibility if it were not to demand even that much. Mr. Vorsley, no doubt, was a senior official but to concede that the statement made by him must be treated as an incontrovertible fact would set a dangerous precedent. The reasoning did not satisfy Mian Sahib. Some days later, Mr. Vorsley, without waiting whether the government ordered an enquiry or not but viewing the resolution of the council in itself as an insult to him, applied to proceed on leave preparatory to retirement.

The meeting of Chaudhry Sir Shahabuddin with the head of the Ahmadiyya Community: For the governor to have persuaded the chief justice to agree to my appointment as a judge of the high court even after the incident narrated above was an evidence of his character at its best and also his good opinion about me. Knowing that I was not willing to be a candidate for the ministership, Chaudhry Sir Shahabuddin, ever tenacious in pursuing whatever had seized his mind, was not inclined to give up. The Ahmadiyya Imam's straight response was he could not compel me if I was not so inclined observing

that internal dissensions would only further weaken the already weak position of the Muslim group in the council. His advice to the Muslim members of the party was to arrive at a consensus and adhere to it. It seems Chaudhry Shahabuddin had also exchanged correspondence with Mian Sir Fazle Hussain on the subject but of that I was not aware. It is also likely that Chaudhry Sahib had talked about it to the governor or some members of the party who had called on him but that was not in my knowledge either.

Offer of Ministership in Punjab: I was all set to leave for London for the Round Table Conference when I was summoned by the governor and told that the Muslim members of the Unionist party being divided over the issue, I should join the ministry. I thanked him but regretted inability, first, because I had accepted the invitation to attend the Round Table Conference; secondly, I did not want to be a cause of exacerbating the differences afflicting the party.

Asked by the governor about the date of my departure for London and whether I could delay it for a week. I said I could and still make it to London in time for the conference. But it would not lessen his worry. For as long as I was in the country the tussle would continue and might even aggravate because the desire, or hope, for the ministership might be construed as a reason for delaying my departure. Once I was gone, the field would be open to Malik Feroze Noon and Muslim members may acquiesce in his appointment. The governor then wanted me to promise that if he, in his judgment, ultimately decided that for the sake of service to the country and Muslims I should accept the ministerial responsibility and was cabled to return I would sail back from Aden. I promised to carry out his command once he had reached that conclusion after full consideration and further submitted that, as in the past, the portfolio of education and allied departments should be entrusted to a Muslim minister. He said he would bear that in mind.

The same afternoon I went to see Sardar Sir Sikander Hayat Khan to report my conversation with the governor and submitted that since the governor

was almost certain to consult him (Sardar Sahib was a member of the Viceroy's Executive Council since 1930 in place of Sir Fazle Hussain) he should make him believe that I was really keen to work in the Round Table Conference and was not at all interested in joining the ministry, and he should not let the eventuality arise of my being recalled from Aden. Taking leave of Sardar Sahib I went to see Malik Feroze Khan Noon to narrate all that had transpired adding my assessment that the governor would offer the ministership to him alone, and he must ask for education and allied departments for that would be a source of assurance to the Muslim members. Malik Sahib said he would say that if, like me, others also insisted though "my present portfolio (local self-government) was quite gratifying."

First Round Table Conference: Reaching London, I hired a flat. My younger brother Chaudhry Asadullah Khan (who by then had taken all the barrister-in-law examinations and was only waiting for the degree) joined me at my behest. But that did not serve the purpose I had in mind. I would get moments of leisure but only in the evening and that, too, if there was no dinner or reception after day-long sessions of the conference. He had his friends to see and I had to spend lonely evenings at home. Though my engagements were not burdensome, for two nights I ran high fever. Knowing that it was my old companion malaria and quinine would drive it away, I suffered no anxiety, only loneliness. I suggested to Asadullah that we look for a house in which some other people also lived so that in his absence I was not left all to myself. A few days later we moved into 212 Heath field Gardens, a less congested neighbourhood making it possible to spend moments of leisure strolling in a bracing atmosphere. An electric train station nearby facilitated commuting.

His Highness Sir Aga Khan:The leadership of Sir Aga Khan was a source of countless benefits to the Muslim delegates to the conference. His majestic, revered personality needed no introduction. In the conference circles he

was held in high esteem. There was hardly anyone in the government not known to him personally. Metaphorically speaking, all doors opened before him without a knock. Two or three times in a week the Muslim delegates would meet under his leadership for consultations on the programme and proceedings of the conference. These gatherings, though informal, helped a great deal in fostering a feeling of oneness among the delegates and in evolving a strategy for safeguarding the rights of Muslims and how best implemented. In the second gathering before the deliberations began, Dr. Shafaat Ahmed Khan opened a register and sought permission, as secretary of the delegation, to read the report of the proceedings in the previous session. To that Mr. Jinnah (Quaid-e-Azam) reacted in pique to say that no one had appointed him (Dr. Shafaat) secretary, no report was to be compiled nor should be read out.

Participation in the committees of the RTC: The inauguration ceremony and welcome speeches over, the first decision of the Round Table Conference was to concede the principle of Burma's separation from India. The Burmese delegates, thus, stopped attending the conference sessions. Instead, a separate Burmese Round Table Conference was instituted to deliberate on Burma's constitutional future. Burma ceased to be a part of India from the 4th of January 1948. The second measure was to establish committees to consider various constitutional issues. On that very day, the Muslim delegation assembled in one of the conference rooms to nominate members on these committees.

In this gathering, too, Dr. Shafaat Ahmed Khan arrogated to himself the role of secretary. My seat was close to him. He would note the names proposed for the committees but under no particular head. The nomination process over, Sir Mohammed Shafi asked him to read out the names proposed for each committee. Noticing that my name figured in no committee, Mian Shafi said with considerable vehemence that if he did not note my name for all the committees for which it had been proposed, his name too would be scored out from every committee. That left him no option but to comply.

Two of the committees on which I was nominated were chaired by Lord Tailened who, as Lord Ronsdale, had been governor of Bengal and later succeeded Sir Samual Hoare as Secretary of State of India on his appointment as the first lord of admiralty in 1935. Mr. Henderson was chairman of the third committee. He was then the foreign secretary and later headed the disarmament commission.

In this august assemblage of statesman of the realm, rulers of the princely states and seasoned politicians from all parts of India, I was but a pupil from a rural hamlet – a novice of no reckoning. By not including my name in the roster of committees Dr. Shafaat had correctly assessed my inexperience. But where men versatile and ripened in experience could put forth useful and practical suggestions, ample opportunity existed for a raw youth like me to widen my horizon and profit from the wisdom and astuteness of the men of learning.

For me it was a great good fortune and a source of pride to be associated with His Highness the Aga Khan, with the Quaid-e-Azam of the future and founder of Pakistan and with Maulana Mohammed Ali. And later in the second and third conferences with Allama Dr. Sir Mohammad Iqbal, Mian Sir Mohammad Shafi, Sir Syed Sultan Ahmed and Maulvi Abul Oasim Fazlul Haq. Besides, to get to know the ideas of the princes and statesmen like His Highness the Nawab of Bhopal, Nawab Sir Akbar Haidri and Sir Mirza Ismail - if not exchanging views with them – and the presence of seasoned practitioners of law and politics of the stature of Sir Taj Bahadur Sapru and Mr. Jaykar provided to me – a beginner – a rare opportunity to learn a bit.

Mr. Chintamuni: The first encouragement to me came unexpectedly from Mr. Chintamuni. Mr. Chintamuni's province of origin, perhaps, was Madras but he had settled in UP. He was an inveterate and influential journalist. In politics he was a free thinker. When I expressed views on some subject in the conference, most affectionately he would send across a piece of paper saying "in

this gathering of reactionaries it is so refreshing to hear someone speak out with courage."

Sir Srinawas Shastri: A day or two after the conference had ended, I was looking for my coat and cap downstairs when Sir Srinawas said in utmost humility to my great embarrassment, " Will you forgive me if I were to say how much I appreciate your valuable contribution to our discussions." The lofty manners of a man of that high a stature left me amazed. I had heard of Sir Srinawas's name for many years. In those days hard it was to find a man who had the slightest interest in politics but was not familiar with his name. He was the moving spirit behind the Servants of India Society and an eminent member of the Imperial Legislative Council. His mastery of English language was a legend. He would express himself in simple but incisive words. Once asked by the governor to say something in support of what he had put forth in an argument, he replied in a manner most disarming: "Because, my lord, this is our country and we wish to rule it".

I thanked him. He enquired which way I was going. To Piccadilly, I said. He said he was also going that way to board a bus from near Ritz Hotel and whether I would mind if he were to accompany me. I said it would do me honour. He walked slowly and, as a gesture of utmost affection, often would lean on my arm. It became a routine. At the end of each session I waited for him to walk together up to Ritz Hotel. Whatever he had to say was sober and sagacious.

One day some delegates were invited by the Liberal Party to the Houses of Parliament. I was among those invited.Mr. Lloyd George made the welcome speech on behalf of the hosts. Mr. Shastri thanked on behalf of the guests. Both were erudite masters of English language. It was an occasion to rejoice.

Efforts to conciliate communal differences during the Round Table Conference: While the conference was in progress, the British Prime Minister summoned the delegates from Punjab to two, maybe three, meetings to find a

compromise but no concrete result emerged. In the deliberations, Hindu delegates kept the Sikh representatives in the front whose disproportionate demands kept the Prime Minister entangled all the time till he gave in. About the Sikh delegates and their demands he had to say: "These delightful people are quite willing to be content with the maximum."

During the conference from among the Hindu delegates, Sir Chamanlal Sitalwad, on his own, prepared and privately sent to all delegates a proposal on communal accord. In the proposal he stressed the importance of the majority trying to win the trust of minority. Toward that end, he proposed, the first step should be to view the legitimate demands of the minorities with sympathy. The principle of communal representation, in the view of the majority, for instance ,was harmful for the country, the majority and minorities, all alike, yet as the minorities, or some among them, insisted on its being an effective instrument for safeguarding their rights, the majority would do well to concede to win their confidence. Sir Chamanlal's proposal could have formed the basis of an understanding but no reaction from the majority came forth and the matter rested there.

The trend that manifested itself right from the inception of the conference was toward a federal constitution embracing both the British India and princely states. Endorsement of this view by the state rulers gave fillip to the trend. The federal system thus became an objective of the conference. Since agreement of the princes was crucial to the attainment of this objective and they were naturally keen on the protection of their rights, powers and special privileges within the federal structure. Any voice raised from their side (apparently it was a united and powerful voice) was heard with great attention and given special importance.

The expressions repeatedly heard in the sessions of the conference were "your highness" and "their highnesses." In the evening receptions in particular, the toast master had thus to draw the attention of the guests: "Your highness, your grace, Your excellencies. My Lords, ladies and gentlemen".

Sad death of Maulana Mohammed Ali: Irked by the repetition (of titles) Maulana Mohammed Ali in a session said: "Mr. chairman, we have heard a great deal from 'their highnesses'. Now 'our lownesses' should also be given a chance to speak". The health of Maulana which was causing anxiety even before his arrival in London further deteriorated. Weakness grew during the Christmas holidays. In the last days he dictated his political will. He died on the 4th of January 1931. He was buried in a cellar of Jerusalem's Aksa mosque.

First Case in Privy Council:The conference adjourned at the end of January. In the course of its sessions, I got an opportunity to appear before the Privy Council. A young landlord belonging to the Qureshi farming family of Gujranwala district had died issueless. The sisters of the deceased got hold of the property left by the deceased. Some distant collaterals laid claim to his inheritance on the ground that in matters of inheritance the family of the deceased was governed by usage and, under usage, a collateral's claim to inheritance got precedence over the right of the sisters. The plea advanced for sisters was that the plaintiffs were not collaterals of the deceased, and even if they were the family of the deceased was subject not to customary law but to Islamic Sharia which recognised their right as superior to that of the collaterals.

The court of original jurisdiction (Mir Ibadullah, senior sub judge, Gujranwala) had held that the plaintiffs indeed were among the collaterals of the deceased at the ninth ancestral stage and were governed by usage. The right of the plaintiffs to inheritance, therefore, took precedence over that of the sisters.

The suit was decreed in their favour. The defendants appealed to the high court. The appeal was heard by Justice Martineau and Justice Zafar Ali. Dr. Khalifa Shujauddin was the counsel for the plaintiffs. I was his junior. To prove their kinship with the deceased the plaintiffs produced a genealogical table which formed a part of their family's historical manuscript complied by Shah Nawazuddin. It showed the deceased to be their collateral. Some oral evidence

was also led which included the statement of their family minstrel. The judges rejected the genealogical tree on the ground that the script of some entries in it differed from the script attributed to Shah Nawazuddin, and, further, it contained entries of births and deaths that had occurred after the death of Shah Nawazuddin and he could not be aware of them.

The oral evidence was also rejected on the ground that the knowledge of relationship going up to the ninth generation could have been passed down only through word of mouth which was not worthy of credence. On this premise it was ruled that the kinship of the plaintiffs with the deceased having not been established, they could not lay claim to the disputed land which was in the possession of the sisters of the deceased. The appeal of the defendants was upheld.

The plaintiffs appointed me counsel to appeal in the Privy Council. The value of the suit entitled the plaintiffs to appeal to the Privy Council which was certified by the High Court. I sent the appeal papers to the London solicitors Douglas, Grant and Dolod. In London for the first Round Table Conference, Mr. Dolod rang up to say that the appeal in question was scheduled to come up for hearing during the next week, and if I could take time out he would get my name entered as a junior and in that capacity I would get an opportunity to appear before the Privy Council which should be of interest to me. The following week he told me of the hearing a day before it was to take place and suggested it would help if I were to turn up half an hour before the session for consultations with the senior counsel who could benefit by my opinion. The point which came up in the consultation was that if the Privy Council were to accept the family tree, the second question whether the parties were governed by custom or by Islamic Sharia could be at all debated. The senior counsel and the solicitors both were of the view it will not be because the high court had not ruled on this point. If the Privy Council were to hold the plaintiffs as collaterals of the deceased, the matter necessarily shall have to be remanded to the high court to rule on this point.

Privy Council's Judicial Committee: The Privy Council held its sessions in a building on Downing Street. A person looking at it from outside would not have ever imagined that inside the building the highest court of the British Empire deliberated and pronounced verdicts. Though the judicial committee of the Privy Council comprised eminent judges and handed down decisions after hearing the lawyers, as apparent from its name it was no more than a committee of the Privy Council. It did not hand down verdicts but merely advised the sovereign. The advice was termed not as "judgment" but a "report". The report was presented in a formal session of the Privy Council over which the sovereign himself presided.

From these sessions issued the "orders in council" directing the concerned high court to act in accordance with the report of the judicial committee. Since the judicial committee was just a committee of a council of the sovereign, the judges attended the sessions in their day-to-day clothes separated from the lawyers only by a wide table. The lawyers however donned their special robes, wig and gown. The judicial committee's reports, as it was merely an advice, did not betray whether it represented unanimity of view or there were dissenting notes as well. An advice admits of no dissenting view. Therefore, even if there was one in the background it was not shown in the report. The judicial committee, on occasions, held two or three sessions at the same time which were called boards.

Assistance to senior counsel in arguments:The board which heard the appeal in question comprised Lord Blenzberg, Lord Macmillan, Sir George Lowndes and Sir Lancelot Sanderson. Sir George had practised in Bombay High Court and also had been practising in the Privy Council. Sir Lancelot had been chief justice of Calcutta High Court. As the hearing started, the senior counsel after recounting the facts briefly drew attention to the genealogical tree and started reading the evidence. The judges had the printed tree before them. Finding the oral evidence not conforming to the entries in the genealogical table,

they pointed out the discrepancies. The explanations of the senior counsel failed to satisfy them.

I understood the difficulty confronting the judges and knew how it could be resolved. The senior counsel was at his wit's end and unable to follow whatever I gave to him in writing. It was beyond him to untangle the knot puzzling the judges. The judges started nodding their heads to convey that the argument was not making headway. I was anxious to clarify so simple a matter. A few words that I put across to the senior counsel failed to attract his attention. I also gave a bit in writing to Mr. Dolod who was sitting nearby. The judges started wrapping up their notes.

By a lucky coincidence just at that time Lord Blenzberg looked in my direction. Reading anxiety in my face he asked me whether I could help them. I asked for leave to clarify the issue which was instantly granted and I submitted: "My lords, before attempting to bring the oral evidence in conformity with the genealogical tree, I seek indulgence to say a few Introductory words on the difficulty you face. Its real cause is that in this suit the witnesses deposed in Punjabi, their statements were recorded in Urdu and their English translation is being read out here before you in London. Not treating it as a translation but an original text, you are interpreting the words as if they were spoken by an Englishman in a statement made in London. Not finding these words conforming to the entries in the genealogical table is puzzling you and you are inclined to conclude that either the genealogical tree is fake or the evidence is false. For instance, a witness had deposed that A is the brother of B. You look for A and B in the genealogical table and find A entered on the right hand side and B at the far left end. The father of A is noted as X and that of B as Y. You wonder how the two could be brothers for their fathers are different. In fact even their fathers are not brothers but distant cousins. This discrepancy does not occur only once so as to be taken for a mistake. It occurs time and again. My submission is that this discrepancy is only on the surface and is, in fact, a difference between the English and Punjabi languages and not a contradiction between the oral evidence

and the genealogical table. Had it been otherwise the original court which received the evidence would have rejected the genealogical tree for this reason alone, or the high court would have quoted it in support of its findings. It did not so happen.

"How to resolve this riddle? In English language brothers mean sons of the same parents. In Punjabi language sons of the same parents are called brothers but the sons of two brothers are also called brothers. Two cousins are also called brothers and the sons of all such brothers are also called brothers of each other. Punjabi language has no one word equivalent of 'cousin'. If a clarification became necessary it would be described as father's brother's son, mother's sister's son, father's sister's son, mother's brother's son but he would still be called a brother. It is phraseology peculiar to every language. In English, for example, 'brother-in-law' is used to describe more than one relationship - wife's brother, sister's husband, husband of wife's sister. Punjabi has separate word for each of these relationships. The same is true of 'uncle' and 'aunt'. Father's brother, mother's brother, father's sister's husband, mother's sister's husband are all uncles in the English language. In Punjabi and Urdu language, each is described by a specific word – *chacha, mamu, phupha, khalu*. Likewise for 'aunt' there is a corresponding word for each relationship. The principle underlying the application on the word 'brother' is that persons descending from the male issue of a common ancestor belonging to the same generation are brothers to each other. The one who is a generation ahead is an uncle (*chacha*) because he is father's brother and the one who is a generation below is a nephew (*bhatija*) because he is a brother of the son.

"Now, if your lordships permit, I would read the evidence while you apply it to the genealogical tree in front of you to see where they coincide or diverge".

As I read out the evidence it fascinated the judges to discover how it conformed to the family tree. Sir George Lowndes and Sir Lancelot Anderson had already endorsed my elucidation of the meaning of "brother". Now even

Lord Blenzberg said: "Oh, how fascinating! How interesting! Oh, pray go on" which impelled me to argue that the learned judges of the high court had rejected the family tree merely because its entries were not in the writing believed to be that of Shah Nawazuddin and also because it contained entries about the people who were born or had died after the death of Shah Nawazuddin. Both were correct but the judges had derived wrong conclusion from them. The need for making the entries which were not in handwriting of Shah Nawzauddin arose after his death which only bore out the authenticity of the tree. Were even these entries to be in the same hand as the other ones, it would have been a conclusive proof of the tree having not been prepared by Shah Nawazuddin. The entries about the people who were born after the death of Shah Nawazuddin could not possibly be in his hand but in someone else's. It seems after Shah Nawazuddin's death some one, or more than one, in the family continued making entries in the genealogical tree to keep it up to date.

Lord Macmillan: Here too it is a practice to keep making entries in the family Bible from time to time to complete the tree.

Zafrulla Khan: My lord, the oral evidence is based, no doubt, to a large extent on hearsay but after a generation or two only hearsay evidence could be forthcoming. Such evidence can be sustained only by word of mouth passed down from generation to generation. The oral evidence and family tree bear each other out. The statement of the village minstrel (*mirathi*) is also relevant and worthy of credence. The minstrel, though not of the family, has the bounden duty to memorise the family tree. Preserving the chain of inheritance is what confers on him the title of *mirathi*. It is his assignment from generation to generation. They recall loudly the family tree on every marriage. The practice is called *kalan*.

Lord Blenzberg: Do they carry a written genealogical table?

Zafrulla Khan: No, my lord, they are generally illiterate but it is their calling and their memory is sharp. They start committing to memory right from childhood the family trees of their clients.

Finding Lord Blenzberg interested, I explained the ritual of *kalan* supported by its practice in my own family. After consulting his colleagues Lord Blenzberg observed that the judges were convinced that the plaintiffs were collaterals of the deceased and called upon the senior counsel to argue on the legal issue. The senior counsel submitted that as the high court had expressed no opinion on legal aspects of the case, it would be appropriate to remand it to the high court.

Lord Blenzberg observed that the suit was already ten years old. Settling law points involved in it would be no more difficult for the Privy Council than for the high court. Therefore, he may permit his junior counsel to argue on the law points as well.

My arguments on legal issues: The senior counsel was not prepared to argue on the law points, nor was I. Our assessment was that if the Board were to be satisfied with the family tree, the plaint would go back to the high court. In fact I had gone there only to watch the proceedings of the Privy Council. When Lord Blenzberg indicated his desire for me to speak on the legal aspects, the senior counsel readily agreed leaving no option to me.

I submitted: "My lords, under section 5 of the Punjab Laws Act, the disputes relating to inheritance and some other matters in the province must be adjudicated in accordance with the customary law. Only if a custom is not established and parties to a dispute are Muslims the Islamic Sharia applies – and Hindu law (*DharamShastar*) if parties are Hindus. The parties to the suit, though Qureshis, reside and own land in rural areas since long. They subsist on farming. According to the revenue record, for three generations their inheritance has been governed by usage which is borne out by the fact that in no generation the daughters got a share in the presence of sons. Had Islamic Sharia applied, the daughters would also have shared the inheritance. The deceased inherited all the

property on the death of his father. The respondents, being daughters, got no share. The revenue record pertaining to the time before the British reign cannot be procured but the likelihood is, and such also are the indications, that even then the daughters never got share in inheritance for no woman is owner in any village. Evidence on the file goes to confirm adherence to custom. Not one instance either counter to custom or of the application of Sharia is forthcoming leading to an inescapable conclusion that the parties are governed by usage. The judgment of the original court takes note of two views and rules that in the presence of collaterals, howsoever distant, the right of the daughters cannot be sustained in a family or a tribe unless a special usage can be invoked in their favour. Since in this suit no reliance is placed on special usage nor a proof has been produced to support it, my submission is for restoring the order of the original court by upholding this appeal."

Some two weeks later, Mr. Dolod rang up to inform me that the roster of judgments issued from the Privy Council's office showed that our appeal had been accepted but it did not make clear whether the suit was remanded to the high court after rejecting its decision on the first point or both points were decided in our favour by reinstating the judgment of the original court. He was to let me know this after ascertaining it from the office of the Privy Council the next day.

Intimation of Privy Council's decision from lord Blenzberg: That very evening the Maharaja of Darbhanga who was a big landlord of UP and a delegate to the Round Table Conference had hosted a dinner on a grand scale at Savoy to celebrate his twenty-first birthday. Besides the delegates to the Round Table Conference, a number of other dignitaries were invited to the dinner. Lord Blenzberg was among them. I greeted him. Giving me a close look of recognition he said in most affectionate terms whether I was the same young man who a few days earlier "had transformed our ignorance to light of knowledge" and whether I knew of their decision. I told him whatever I had learnt from Mr. Dolod. He said

the case was not remanded, the appeal had been upheld and the order of the high court cancelled. The cost of litigation all along will also be reimbursed to the appellants. "We have done whatever you wanted. On no point has your plea been rejected", he said.

Holding me affectionately by my arm he introduced me to Lord Shaw whom, he said, they regarded as a guru in the Privy Council and said a thing or two complimentary about me. He said it would give him pleasure if I were to join him at breakfast on Wednesday for Privy Council did not hold sessions on Wednesdays and thus we would be able to talk at leisure. There I also came across Lord Macmillan who also had a word of praise. From my modest response he, seemingly, construed as if I was trying to explain my audacious attempt to differ with him. He said "Nonsense, we know a good thing when we see one".

How gracious was the conduct and generosity boundless of these eminent men of learning toward an amateur, filled my heart with gratitude for Allah: "Who am I and my worth, an apprentice among the British nobility, ministers and statesmen, princes and political leaders of India, just a petty bugler in the vast concourse of the maestros of a great empire, a novice among the inveterate observers and politicians. A new arrival at the Privy Council, it was only His infinite blessing that unraveled to me the key to the riddle which had eluded solution to the judges".

Last session of the First Round Table Conference:Prime Minister Ramsay Macdonald himself presided over the last session of the conference. The attendance was 100 per cent. In the middle of the hall cameras were placed and special lights generating stifling heat required that only a few delegates should speak and that too briefly. I had no inclination to open my mouth in that august a gathering. Even if I was that way inclined, there was little hope that the Prime Minister who did not know even my name would give me an opportunity to speak. However, I had a gnawing thought. In the meetings of various committees the Muslim delegates had, quite naturally, stressed their demands aimed at

safeguarding their rights. Their contention was that the urge to move speedily towards independence and equality should not be restricted to freedom from the external authority but extend to internal freedom as well. And the equality should not be in international spheres alone but also among all sections of the population. To establish and justify such a dispensation in practical life it was important to provide constitutional protection to the political, social, communal and cultural rights and aspirations of the minorities. This viewpoint was projected in a distorted light by some British and Indian elements creating an impression through the press and other media as if Muslims were impeding the course of freedom.

The urge in me was to say a few words to clarify our viewpoint which might help in dispelling that impression. I waited. When the opportunity seemed to be eluding me, I raised my hand in the hope of attracting the attention of the Prime Minister. Luckily, Mr. Henderson (under whose chairmanship I had worked happened to be sitting next to the Prime Minister) spotted me, whispered into the ear of the Prime Minister and I was asked to speak.

I rose and submitted that "while the longing and anxiety of the Muslim delegates for constitutional progress in India were intense, yet they expect that the castle that is raised, its character, etchings and colour of its frescoes should carry not one hue but sparkle with a mosaic of India's varied cultures heightening its splendour. They also crave for equal opportunity of service and sacrifice in building this constitutional castle and to participate in other nation-building projects. The pride of such a performance should not be denied to them, nor could there be a reason to question such a legitimate aspiration".

Lord Blenzberg an introduction: I arrived at the home of Lord Blenzberg at the appointed time to be received with unusual civility and warmth. His family name was called "Younger". He told me he was youngest of six brothers. His brother James who was six years older than him lived in Scotland. Lord Blenzberg was greatly fond of his mother. Soon he learnt how I also doted on my

mother. This common sentiment forged a deep and enduring friendship between us. He was a life-long celibate. The reason for that I learnt from him some years later. Early in youth he had fallen in love with a maiden of noble descent. Circumstances were all too favourable but then an ailment struck him. Fish like scales would appear on his skin and then fall off. He sought advice of Dr. Norman Walker who had been with him at the university whether in this condition he should get married.

His firm view was that the disease was incurable and he must not marry. Thus he gave up the idea of marriage. I asked him if he ever regretted his decision later. He said "Zafrulla, I regret it often and deeply but I could never persuade myself to marry even though that so-called incurable disease became curable and I was rid of it but the time had passed me by".

It was my good fortune that our deep friendly relationship lasted for sixteen years. I never found him forlorn. His nature, though pensive, was marked by geniality. A barrister, he became a QC, then a judge of the chancery and Lord Justice Younger. He assumed the title of Lord Blenzberg on becoming the Lord of Appeal.

At the very first breakfast meeting he expressed the desire to call me over to dinner to introduce me to some of his friends. I said it would be an honour. Responding to this invitation I went to dinner one evening. Raja Narinder Singh and Sardar Ujjal Singh were also there. Duchess of Richmond and Garden and Lord Chelmsford, a former Viceroy of India, were among the European guests. As the dinner ended and the guests moved into the lounge, Lord Blenzberg took my hand in his hand and under him arm. Sardar Ujjal Sigh who was nearby looked at it with a measure of curiosity. Stroking my hand with his other hand he said "a great, great advocate". Sardar Sahib said he knew me for we were both members of the Punjab Council. On that Lord Blenzberg's spontaneous reaction was "Oh what an honour!" Soon realising that Sardar Sahib might get irked he instantly added "I mean for both of you, both of you". How affectionate an indulgence and also regard for the sensibilities of others!

Sir Findlater Stuart: In the second or third week of the conference, the India Office organised a reception on a large scale for the delegates. I looked lost and lonely in that gathering when a man walked up to me to introduce himself as Findlater Stuart who had met me in Lahore when he was Secretary of Simon Commission. I enquired about his present posting. Smilingly but somewhat diffidently he said he was head of India Office. We parted after a few formal exchanges. One or two more brief formal encounters followed. Saleh Akbar Haidri of the Indian Civil Service (eldest son of Sir Akbar Haidri, Prime Minister of Haiderabad State) who was the secretary of the Haiderabad delegation said one day that Findlater Stuart had told him that he had tried two or three times but without success to draw Zafrulla into conversation. I said I had, indeed, greeted him on a few occasions but since he was Permanent Deputy Secretary of State for India I had been hesitant in entering into conversation with him. I regretted having given the impression of being indifferent. It was a flaw in my temperament that I had not been able to rectify giving rise to complaints even from fiends. Saleh Haidri said he had already explained it to Sir Findlater that Zafrulla's retreating nature on first meeting conveyed a false impression of his being cold or apathetic.

Sir Findlater was a man of great worth and Saleh's father (Sir Akbar Haidri) always wished that his mistaken impression about me be dispelled. He, therefore, proposed to invite me and Sir Findlater to dinner one evening where besides the two of us only his (Saleh's) mother and wife and Sir Findlater's elder daughter would be present to facilitate informal conversation. Accordingly, we all gathered at Hyde Park Hotel where Sir Akbar Haidri was staying. It turned out to be a pleasant evening ending in friendly ties with Sir Findlater which with vicissitudes of time only grew from strength to strength. I had little to offer to him but sincerity. From him flowed a kindness which remained unabated for as long as he lived. I owe to him a lasting debt of gratitude.

Return from England: Asadullah and I went to Paris where Sardar Sampuran Singh joined us. In Lousanne Sardar Anbasha Singh also joined us. After an overnight stay at Milan we all sailed for Bombay from Venice by an Italian liner.

Delhi Conspiracy Case:Mian Sir Fazle Hussain told me one day that a special tribunal would soon be constituted at Delhi to try some persons accused of sedition. Sir James Carrer (Home Member) had asked him to suggest a capable lawyer who could conduct the prosecution and he had suggested my name. Some days later, Sir Donald Bird who was a Member of the Governor's Executive Council asked me whether I would be willing to act as a member of the special tribunal which was going to be established at Delhi to hear a sedition case. I replied in the negative. Two days later he met me again to say that he had misunderstood the central government's message. In fact they wanted to know whether I would agree to be the state counsel in the case and at what fee. I expressed my willingness and mentioned a sum.

A few days later he told me of the central government's approval to the appointment. A month's time was estimated for me to prepare the case and the tribunal was expected to start work at the beginning of May. Early in April I went to Delhi to prepare for the trial and put up in Swiss Hotel in the old city. Having mastered the facts of the case, I advised Sir James that it would not be appropriate to constitute a tribunal for the case because most among the accused were young men who, apparently, had committed one or the other offence, only two or three were suspected of involvement in conspiracy but no evidence was coming forth of commission of any overt act on their part. About one of the accused, the prosecution had itself conceded that he had stopped taking part in the conspiracy. The prosecution, therefore, would not be in a position to press the charge against two or three accused. Even if it did, the tribunal was unlikely to frame a charge against them.

My advice was to drop the sedition charge and try the accused in ordinary courts. The creation of a tribunal, I urged, would only focus public attention on the young men making them national heroes, the proceedings will drag on imposing burden on the exchequer for an outcome not in doubt. Sir James listened attentively but did not act upon my advice.

Members of the Conspiracy Tribunal:The president of the tribunal constituted to hear the sedition case was Mr. White, a sessions judge of UP. Its other two members were Khan Bahadur Sheikh Amir Ali, a retired sessions judge of Punjab, and Roy Bahadur Lal Kunwar Sen, retired chief justice of Jammu and Kashmir. Lala Kunwar Sen was principal of Lahore Law College when I was a lecturer there. His father Lala Bhim Sen had practiced law at Sialkot. Sheikh Amir Ali had retired long before his appointment on the tribunal. He found it difficult to remain attentive in the course of the proceedings and tended always to endorse the view of Kunwar Sen. Resultantly, all issues were settled in the light of Sen's advice which was invariably in favour of the accused on every petition moved in their behalf.

Proceedings in the Tribunal: The accused were alleged to have participated in a conspiracy aimed at the forcible overthrow of the British Government in India. Toward that end they manufactured a large quantity of explosives and committed a number of offences including banditry. The accused were all educated – two or three were graduates. Mr. Vatsiana was a gold medalist in industrial engineering. To his colleagues he was known as a "scientist" in their secret code. For obvious reasons the accused had sympathy of the masses. The trial evoked great interest in the press. The case expenses for the accused were borne by the government which roughly amounted to Rs.10,000 a month. In the beginning the senior counsel for the accused was Mr. Asif Ali. He was assisted by two or three junior lawyers. As the proceedings prolonged, his place was taken by Dr. Saifuddin Kitchlew. The tribunal held its sittings in the

central part of the south block of the Indian Secretariat in New Delhi as at that time the government offices had moved to Simla. As the time approached for the offices to return to Delhi, the tribunal started meeting in the old Viceregal Lodge in old Delhi. By the time the trial started, Chaudhry Mohammed Amin, public prosecutor at Sheikhupura, was appointed to assist me. As long as the tribunal met in New Delhi I resided in an official bungalow in the neighbourhood. When the tribunal shifted to the old Viceregal Lodge, a nearby bungalow which at one time was used for Vicergal dispensary was made available for my residence.

Mian Nasim Hussain: Those were the days when Delhi in summer wore a deserted look. Our house, though small, was kept tolerably comfortable by the reed screens and electric fans. Mian Sir Fazle Hussain's eldest son, Nasim Hussain, a magistrate at Gurgaon, lived at a distance of sixteen miles from our house. Two or three times in a week I would bring him and then drop him back after dinner. He was married into a noble house of Peshawar of academic predilections. Begum Nasim Hussain was a woman of comely, religious nature. A few years after his marriage, Mian Nasim Hussain was appointed private secretary to Malik Sir Feroze Khan Noon who was then India's high commissioner in London. He rented a house in Armond Court on Upper Richmond Road not far from the high commissioner's residence on Putney Hill.

London's Ahmadiyya mission was also in the neighborhood. Begum Nasim Hussain expressed a wish to study in depth the doctrine and beliefs of Ahmadiyya movement. Main Nasim Hussain requested Maulana Jalaluddin Shams who was then incharge of the mission to visit their home for a day or two in a week to clarify the issues she wanted to know about. Maulana Shams took up this assignment most willingly. Fully convinced of the cause and of her free will, she decided to join the community. She sincerely executed what she had vouchsafed. The obstacles that came her way had the effect of making her ever more steadfast.

On the establishment of Pakistan, Mian Nasim Hussain was inducted into foreign service and served in Tehran, Baghdad and Beirut as secretary, consular and ambassador earning a good name. Whoever came across him admired his congenial disposition. He was particularly gratified on his appointment at Beirut. Also accredited to Jordan, on visits to Amman he would pray at the Aksa mosque. Whenever an opportunity came his way he would go on leave to Mecca to perform hajj or umra and to Medina to pray at the Holy Prophet's mosque. His wife would accompany him whenever possible. The husband and wife reposed total faith in Divine attributes to reprieve, to overlook the failings and to shape their destiny. The Divine dispensation matched their faith and trust.

Once when I passed through Beirut, Mian Nasim Hussain met me at the airport. In the course of conversation he mentioned something that was causing him worry and asked for a word of special prayer. To pray, I said, was the only remedy to invoke Allah's mercy, he should pray and so would I. On return to Pakistan he told me that the problem had resolved itself.

Mian Nasim Hussain had been ailing for some time. He went to London for medical examination. I too happened to be there in those days. We met frequently. After completing his tenure in Beirut he was on leave. The order of his appointment as high commissioner to Ghana had been issued. He suffered a heart attack after he had returned to Beirut. He wrote to me expressing anxiety on his going to Ghana in that state. I wrote to him assuring that God would alleviate his anxiety and he may not have to go to Ghana. That order was cancelled but, simultaneously, an edict issued for him to appear before the Ultimate Authority. The righteous will be greeted with: O soul at rest, return to Thy Lord, Thou well pleased with Him and He well pleased with thee. So enter among My chosen servants and My Garden. That man most humble and yet so philanthropic, always resigned to Divine ordination, a servant of God responding ungrudgingly to the summons from his Creator presented himself before Him. My God bless him and grant him an exalted status in the heavens.

Court proceedings in the Delhi Conspiracy Case: As the hearing of the sedition case began, the conduct of the accused and their counsels betrayed their intention to prolong the proceedings as far as possible as it would go to benefit them. In the first instance, the net of the alleged conspiracy was widespread. The list of witnesses was long. Three among them were approvers. The depositions of the second and third witness were not long but the statement of the first witness lasted for seventeen days and his cross examination extended over nine months. Besides, whenever the accused wanted to stall the proceedings one of them, feigning headache or some similar ailment, would refuse to appear in the court. When they persisted in such tactics the government put an end to it through an ordinance.

To drag the proceedings the accused employed other devices or moved adjournment applications that were allowed by majority vote of the tribunal. Practically, two-third of the time the proceedings remained suspended. The result was that judicial proceedings in a case of grim import were reduced to a sham. The court time was a time for the accused to indulge in banter. It started with the accused singing hymns of freedom followed by an excuse – serious or frivolous. This hurdle over, cross examination of the approver would begin. The approver was a shrewd, clearheaded man. Long and rigorous cross examination could neither weaken nor cast doubt on any part of the testimony. In the nine-month long cross examination, he never showed any sign of nervousness or fatigue nor was he irked or piqued. He answered all questions calmly in a steady strain. Since the accused were all educated youth they would beckon me to their dock whenever they were in court and proceedings were suspended. Generally, they would mention a grievance which needed to be removed or demanded an amenity. They told me how time weighed heavy on them in jail for there was no diversion. Any magazine or book I bought, I would pass on to them. Whatever legitimate facility they asked for I would get it arranged. My attitude caused anxiety to Chaudhry Mohammad Amin who thought kindness shown to the accused could incite them. Incite to what, I would ask. They might turn

impudent, he would conjecture. That could be taken care of, I would say, after all they were only accused not criminals.

Participation in the Second Round Table Conference:The cross examination of the first approver was still on when I received an invitation to attend the Second Round Table Conference. In the interregnum the Congress had also consented to participate in the conference in pursuance of Gandhi – Irwin Pact, and Gandhiji was named sole delegate of the Congress. A proposal was, nevertheless put forth by the Congress for inviting Dr. Ansari to the Conference as a representative of the Muslims. This proposal gave rise to a grave crisis between the Congress and the Muslims. The Muslim viewpoint was that having agreed to join the conference, the Congress could send ten, even twenty, delegates led by Gandhiji. All the delegates, if the Congress so desired, could be Muslims – Dr. Ansari included. But if the decision of the Congress was that Ghandhiji was going to be its sole delegate, representing both Hindus and Muslims, whom would Dr. Ansari represent? The Muslim representatives, in the event of Dr. Ansari's nomination, would decline to attend the conference. Resultantly, the Congress proposal fell through. In opposing it, Maulana Shafi Daudi was in the forefront.

Talks in London between Gandhiji and Muslim delegates on the occasion of Second Round Table conference: Mrs. Sirojni Naidu, though not attending the conference, was present in London and, quite naturally, deeply interested in the constitutional future of India. Realising that a solution to this tangle lay in the Hindu – Muslim accord she strove for a rapprochement between Gandhiji and Muslim delegation. It was resolved that after dinner Gandhiji would visit Ritz Hotel (where Sir Agha Khan was staying) to exchange views with the Muslim delegates. All members of the Muslim delegation eagerly awaited Gandhiji's arrival at the appointment time. As Gandhiji entered, all present stood up. His Highness Sir Aga Khan welcomed him and led him to a relaxing chair.

Gandhiji nodding in decline, quipped that he would rather sit on the floor. In his right hand he held a fancy teak box which he put before him on the floor as he squatted on the carpet. To show courtesy to the revered guest some from among those present also sat on the carpet.

Gandhiji leisurely opened his box while I, like others, held breath to see what emerges out of it. When the box opened a beautiful folded spinning wheel made of brass came out. Gandhiji unfolded it on the floor with tender care and quietly started spinning. Having spun a thread or two he looked up and chuckled to signify that he was ready to listen. All this while the spinning wheel remained the focus of attention.

It was my wont to retire early and I lived at quite a distance but it was a momentous occasion for me to learn a great deal even though I was not to speak in the presence of so many inveterate men. I listened with rapt attention to talks which went on for more than two hours. The discussion centred on Mr. Jinnah's Fourteen Points. Gandhiji said some points he not only conceded but endorsed fully. Separation of Sindh from Bombay and granting North–West Frontier the same constitutional status as the other provinces, for instance, were the demands on which no one could disagree. There were demands to which he did not object and would unhesitatingly concede those which we considered imperative.

The demand posing a real difficulty related to representation in the constituent assembly. The first hurdle, he said, was that before leaving India he had made a commitment to Dr.Ansari that he would not decide this issue in his absence. The discussion on it, therefore, could take place only with Dr. Ansari taking part. The talks then centred on removing this hurdle. Finally Gandhiji said the hurdle was not insurmountable. We should request the Secretary of State for India to summon Dr. Ansari to London. On his arrival this issue could be discussed. The proposal was wholly unacceptable to the Muslim delegation. It was debated for long. It implied that it were the Muslims who had opposed invitation to Dr. Ansari outside the Congress delegation. Our going to the Secretary of State would amount to retracting from that position in remorse on

realisation that Dr. Ansari's presence in London was absolutely essential and he must come to London immediately to attend the conference. When this initial problem looked intractable, I sought leave to speak and submitted that it would, perhaps, be advisable to leave this issue aside till an understanding was reached on all other issues. Gandhiji and all of us should then jointly cable Dr. Ansari requesting him to come and join in the talks. This approach would do Dr. Ansari grater honour than to summon him by petitioning to the secretary of a government whom Gandhiji regarded satanic. My submission brought a grin to Gandhiji's face and he nodded in agreement.

The talks between Gandhiji and Muslim delegation were spread over two or three sessions. Besides communal representation, no other issue came up which would defy a solution. On the issue of representation Gandhiji stuck to his view that it could not be resolved in the absence of Dr. Ansari. His opinion was that the system of separate electorates would be extremely harmful and detrimental not to the country alone but also to the interest of Muslims. Nevertheless, if Muslims, after full consideration, insist that the system was essential to safeguard their rights and there was no alternative, he contrary to his own belief and as a last resort would acquiesce in it providing Dr. Ansari was also persuaded to agree. Asked, what would be the position if Dr. Ansari were not to agree, Gnadhiji said he would try to bring him round by advocating our cause. At that stage, I sought permission to ask a question for further clarification. Gandhiji having permitted, I asked him as to what would be his stance if Dr. Ansari even after his pleadings were not to agree on the ground that the separate system of representation would be fatal for the Muslim themselves. Gandhiji's reply was he would go along with Dr. Ansari. I asked further if as a consequence to pleadings Dr. Ansari were to agree but the other Congressite Muslims unanimously went against it with whom would he side. He replied "with Ansari". If all Congressite Muslims were unanimously to support separate electorates for the sake of communal harmony but Dr. Ansari remained adamant

what would be his attitude, I inquired. "I would be still with Dr. Ansari", was Gandhiji's reply.

Gandhiji having endorsed all the other thirteen points of Quaid-e-Azam Jinnah barring the system of separate representation (which was left hanging for Dr. Ansari's agreement or dissent), the Muslim delegation inquired from Gandhiji to let them know as to what was required to complete the accord. Gandhiji said he would send a reply in two or three days. A bit of paper scribbled in pencil which bore no heading nor date was later received from Gandhiji which, in essence, said that in the event of an accord he would expect the Muslim delegation to support all the demands he had put forth. These demands were elaborated in the note. For example, the demand for complete autonomy implied total control on the armed forces and finances.

Thus far, the demand posed no problem to the Muslim delegation. With their rights protected, they stood shoulder to shoulder with Gandhiji in demanding complete autonomy. But the note also contained a demand that in the event of accord, the Muslim delegation would not lend support to the concessions demanded for the untouchables but take a stand to the contrary. Having given ample thought to this demand, the delegation came to the conclusion that it would not be possible to accept it in that form. Gandhiji had written that promising special concessions to the untouchables would divide the Hindu society and destroy its harmony. The Muslim delegation felt that when it insisted on behalf of the Muslims for safeguarding their rights, through numerically more than the untouchables and way ahead of them in education, commerce and industry and craft, how would it lie in their mouth to say that the untouchables needed no such safeguards. The Muslims delegation however could take a view that the rights of the untouchables being an internal issue of Hindu society, it would endorse whatever accord the Hindu representatives were able to hammer out with untouchables. A reply was sent to Gandhiji incorporating this decision.

The Muslim standpoint relating to the untouchables did not find Gandhiji's favour and continuity of talks was stalled. The expectations raised by

Congress's participation in the conference remained unfulfilled nor did Gandhiji's presence cause a stir in the content and pace of its proceedings. Gandhiji's arrival in London had evoked interest in the conference in some sections of the population. It soon faded away.

As on a previous occasion, the delegates to the conference were given a reception at the Buckingham Palace. It was rumoured that though Gandhiji accepted the invitation he refused to change or supplement his usual attire to attend the reception. Nevertheless, after some hesitation, the King condescended to receive him. – only God knows the facts, but we did see Gandhiji there in his usual dress. His Majesty smilingly shook hands with him and conversed for two to three minutes. The reverberations of King George V's voice were heard a long distance. Shaking hands with Dr. Ambedkar, he said "Mr. Ambedkar, I am immensely pleased on shaking your hand, why others are reluctant?" The fact was that in the Round Table Conference, perhaps, only the Maharaja of Alwar had shown reluctance in shaking Dr. Ambedkar's hand but no other delegate ever discriminated against him. The Muslim delegates, by temperament, respected Dr. Ambedkar in the same manner as the other members of the conference. Of the prime minister he was indeed a favourite.

Allama Dr. Sir Mohammad Iqbal and Mr. Jinnah:In the Second Round Table Conference, Allama Sir Mohammed Iqbal graced the Muslim delegation. His arrival in London evoked special interest in the philosophical, literary and oriental circles. A large reception was held for him at Waldorf Hotel. Allama was immensely gratified to meet his old and new friends but the slow pace of the conference riled him.

Mr. Jinnah (Quaid-e-Azam) at the end of the First Round Table Conference had given up the idea of returning to India. He rented a house in a pleasant London neighborhood and started practising at the Privy Council. He was not satisfied with the proceedings of the First Conference. Those of the Second were not of much interest to him either.

Sir Syed Ali Imam: Sir Syed Ali Imam took part in the Second Round Table Conference. I was still a college student when he first illumined India's political horizon. Meeting with him was a source of pleasure and pride to me. He was a man of immense grace. He greeted me with special affection, stepped forward to shake my hand and said he had long looked forward to see me having heard about me from Haider Imam.

The issue of communal representation hung intractably over the proceedings of the Second Round Table Conference. An enfeebled economy that year had compelled the British to abandon the gold standard. Its one consequence was a rift in the cabinet over monetary regulations forcing Prime Minister Macdonald to form a coalition government. The Conservatives (Tories) agreed to work under his leadership. Among the changes in the cabinet was Sir Samuel Hoar's appointment as Secretary of State for India in place of Mr. Wedgewood Benn. He was keen to see the conference yield some result but the question of communal representation dogged every step. Finally, a consensus refusing to emerge, the British government took the matter upon itself. At the end of the Second Round Table Conference Muslims were, thus, left to wait for the British government's decision.

In March 1931 Lord Blenzberg sent gift of a golden plate to my mother. Prepared under the auspices of the Goldsmiths (of which Lord Blenzberg was the prime warden). The plate carried the inscription:

"Homage from England to a devoted Indian Mother of a distinguished Indian Son – February'31"

In October 1931 when I went to London to attend the Second Round Table Conference, my mother sent a Persian rug and a table with brass engravings to Lord Blenzberg which pleased him immensely. He wrote a letter of thanks to her. Following that, at intervals, in token of his sincerity he would send various kinds of gifts to the mother. During my stay in London for the Second Round Table Conference, I had the pleasure of seeing him a number of times.

Once he invited me to the court dinner of the Goldsmiths Company where, besides a demonstration of age-old customs and rituals, one marvelled at the invaluable antique artifacts of the jewels and gold goblet of Queen Elizabeth I, the wine set of King James I and countless other such objects of value beyond estimation. When the guests departed each one of them was given a fairly weighty box in which were meticulously laid a variety of chocolates. I presented that box to Emily Benbridge.

Presidentship of the Muslim League: The Muslim League was to hold its annual meeting in December 1931. The League council invited me to preside over it. I agreed. In those days, beside the Muslim League, there was another political party of Muslims called All Parties Muslim Conference. The existence of two parties weakened the Muslim community. At the same time the congress was hell bent on crippling the political power and unity of the Muslims. The Ahrar and other inimical forces tried to incite popular passion against my being president of the Muslim League. Though their exertions could not go beyond sloganeering and threats of disorder, the real weakness lay in a strife-ridden leadership, mutual recriminations and rivalries which had created a degree of political inertia in the community.

The session was held at New Delhi. The presidential address was read, speeches were made, resolutions followed without causing a ripple in the political environment. In the first half of 1932 as President of the Muslim League it was my endeavour to see the Muslim League and All Parties Muslims Conference merge. Of that some possibility arose but in the middle of the year the move was stalled when I had to resign from the presidentship to take up the temporary appointment of executive councillor on Mian Sir Fazle Hussain proceeding on leave. Within a year or two the activities of All Parties Muslim Conference atrophied and Muslim League acquired fresh vigour.

Motor Car Accident: I spent large part of 1931 Christmas holidays with my mother at Lahore. Sometime before that my mother dreamt a dream about me and had asked me to write to the Imam to ascertain the forebodings. The Imam interpreted the dream to imply some bodily harm followed by exaltation in worldly station. On 31st December at afternoon tea Syed Inamullah Shah whispered to me that the mother looked crestfallen. Though sitting close to her, her face was not visible to me. When I turned to look at her she was wiping a tear off her cheek. Asked the reason, she said there was nothing significant but she was saddened by the thought of my going to Delhi the next day. I suggested to her to accompany me. She said I should go as scheduled and she would follow.

On the 1st of January 1932 I left my home by car to return to Delhi. On the way I stopped for a few moments at Nedoes hotel to say farewell to a friend. Departing from there as I opened the rear door of the car to get in a friend suggested that journey being long sitting in the front seat would be more comfortable for me. Considering his suggestion prudent, I sat in the front seat. Passing through Amritsar and crossing Beas river, the time, I noted, was 20 minutes to two. I thought to myself that I should halt at Jullundur station for lunch twelve miles ahead. A car ahead of us leaving the paved part of the road swerved on to the berm. The car blew up a thick cloud of dust through which nothing could be seen. The chauffeur, Syed Abdul Karim, slowed down to stop on the extreme left edge of the road. Suddenly it crashed into a bullock cart coming right in front of us out of dust. Sheering through the screen, the middle staff of the cart hit me in the left cheek with full force. For a while I felt the flame of life flickering but soon my senses returned. My front teeth had fallen out, a gashing wound split the upper lip apart, socket of the left eye broke and cut through the skin. Syed Abdul Karim suffered no injury but the car became unusable.

An empty bus lorry coming from Jullundur was hailed and persuaded to take me to Jullundur civil hospital. Blood flowed till I got to the hospital but I remained fully conscious. At the hospital a stretcher was called. However, I

preferred to walk to the operation theatre. Sitting on the operation table I dictated two telegrams: one to the chief commissioner of Delhi requesting for two week's leave and the other to the chairman of the tribunal that I would not be able to attend the proceedings for two weeks. A brother of high court judge Kunwar Dilip Singh, Capt. Shamsher Singh IMS, was then civil surgeon of Jullundur. He had gone to Lahore for the new year's race meet. Dr. Bose assistant surgeon decided to dress the wound after stitching. The required surgery could be performed at Lahore. I requested him to put me under chloroform, clean up the wound and perform whatever surgical operation was necessary. He said he was afraid of owning the responsibility. I told him he had nothing to fear and should do whatever was necessary. He agreed. I prayed incessantly while inhaling the chloroform.

The house of Sheikh Ghulam Dastigar was close to the hospital. I sent a message across to him. Since it was a holiday he had gone to his village. Receiving the message he rushed back and sent bed linen and some other articles. When I regained consciousness he was by my bedside. The injury on the face had put my nerves under severe strain. His presence was a source of comfort. He was a top civil lawyer of Jullundur besides being chairman of the municipality. He sent a water bowser to the scene of the accident to fetch my car and Syed Abdul Karim. He broke down as he greeted me and shook my hand and spared no effort in making me comfortable. Twenty-five years earlier in Lahore's Government College his treatment to me was most affectionate. Whenever I had an occasion to go to Jullundur I was his guest where every possible comfort was provided. I was never able to reciprocate many good turns he did to me.

As the news of accident spread in Lahore, Chaudhry Shahbuddin instantly came over. As he entered the room he inquired whether injury was caused to the brain. I said God had been kind in sparing harm to the brain and as far as one could guess no harm had come to the left eye either. A little while later Syed Inamullah Shah and my mother also arrived. Syed Sahib had a fastidious temperament. He expressed dissatisfaction on the state of room. I laughed it

away. He wondered what a peculiar man I was and went on: "A slight headache and we raise clamour enough to drive the whole neighbourhood crazy; it was slighting if anyone in the locality sleeps in comfort while we are in pain, and here you are with the face all wrapped up in bandage and teeth broken rendering you incapable of speech and yet you jest to make others laugh while you yourself cannot".

I said one has to be grateful to God to have come out of a catastrophe alive and unmaimed. It was an occasion to rejoice and to be grateful to Him for His mercy and not to wail or sulk. The mother once relieved of the anxiety about my condition explained that the reason for her being sad and worried was a dream she saw a night earlier: "A dark cloud rose over the horizon. In that darkness lightning struck with frightful thunder. With that the cloud blew away and it was light again. A cry went up 'all is well, all is well' only outside your room was seen a black streak remnant of the lightening that struck." Haunted by the dream she prayed every moment of the day for my safety.

Two days later I was taken to Lahore's Mayo Hospital where Lt Col Broom after examining the wounds opined that stitching by Dr. Bose was precise leaving no room to worry. After a few days I shifted to my house in Model Town but was unable to resume normal work. The wounds were healing but the palate was tender. And jaw hurt under pressure. I had to subsist on liquid diet.

Inheritance of the Nawab of Mamdot: A few years earlier on the death of Nawab Ghulam Qutbuddin Khan, chief of Mamdot, his cousin Shah Nawaz Khan, a superintendent of police in Hyderabad State, had filed a petition in the political department of the government of India claiming to inherit the Momdot principality and the connected property as heir to the Nawab. He appointed me as his counsel. The government of India while holding Shah Nawaz as heir to the title of Nawab and political fief had directed the financial commissioner to determine the personal inheritance and consequent land mutations.

The financial commissioner fixed the petition for arguments on the 17th of January. On the 16th, Nawab Sahib came to my house to disclose that the opposite side had engaged Sayed Hasan Imam who had arrived in Lahore from Patna. Looking at my condition, Nawab's suggestion was to seek adjournment. I was not in a state to stand on my legs for long or to speak. Yet I advised him that moving an adjournment application would not be appropriate especially when an able lawyer worthy of every respect had already suffered the strain of travel to Lahore. The Nawab wished to know how, in that state, I would be able to go to the court. I told him not to worry for God in his infinite kindness would bestow strength on me.

After he was gone Syed Maratb Ali and Syed Amjad Ali came over and I went out to the lawn to be with them as sun shone in a mild weather. As they left I felt my limbs ache and body quake. The symptoms of a malarial attack were obvious. Fire was lit. I took a 30-grain quinine which by experience had always proved beneficial in such state. The mother came to my room and seeing my condition was greatly perturbed. I tried to assure her that though temperature had risen steeply the poise inside made me feel the temperature would return to normal by midnight. It failed to alleviate her anxiety and she prayed incessantly in great anguish. The fever was gone by midnight. The mother regained composure and I fell into sound sleep.

In the morning the mother was happy to find me in a normal state. She said the cause of her extreme anxiety the previous evening was that in a part of the dream that she had not narrated at Jullunder, she had seen the people shout "all is well, all is well". At the same time it was heard that lightening had struck the adjoining house blowing away its roof. She had climbed up the roof of our own house to find that the roof of the neighboring house was indeed gone leaving only the beams. She had then conjectured "what an elegant house it was and to what state it had been reduced". The previous evening, when I suffered pain and fever she was apprehensive whether it represented the second part of her dream. Allah spared us that agony.

Chaudhry Shamshad Ali Khan:Chaudhry Shamshad Ali Khan got his M.Sc. degree from Lahore's Government College. Soon after that on a general appeal of Sir Miachel O' Dyre, Lieut Governor of Punjab, and in keeping with the traditions of his family he joined a signals double company. The double company was disbanded at the end of the war. As the competitive examinations for the Indian Civil Service were suspended during the war, it was decided to nominate one office from the Punjab province to make up the shortfall. Chaudhry Shamshad Ali was one among the applicants. Though the selection board had put his name at the top of the list, the obstacle was his age. Under the ICS rules he applied for remission in age to the extent of his war service. In its report to the Minister for India, the board recommended that if the minister in exercise of his power allowed the remission, he may be nominated but if age stood in the way Hamid Asghar (son of Sheikh Farzand Ali) may be nominated.

The Minister ruled that it didn't lay in his power to amend the rules but he could permit Chaudhry Shamshad Ali's name to be included in the list of the Europeans and Indians permitted to take the examination to be held in India for appointment in the ICS. Chaudhry Sahib took the examination and, though placed at number 18, was selected. His natural choice was to be posted in Punjab but he was sent to Bihar. On return to the country he confided in me that on hearing of his assignment to Bihar, he felt as if somebody had pumped a bullet in his chest and he burst into tears uncontrollably for two to three hours till he regained composure. In Bihar, however, he got to like his work.

Syed Inamullah Shah and Syed Afzal Ali also became his intimate friends and thus six of us were linked in a brotherly chain. Chaudhry Shamshad Ali was married before admission in the college. His first daughter was born 1910. In 1926 he was district magistrate of Bhagalpur when I married his daughter. Early in 1932 he was district magistrate of Chhapra. Though separated by hundreds of miles the bond of affection made us feel like neighbours separated only by a wall. My mother also had the same affection for

him as for his sons. He fully reciprocated her affection. He used to say that as his own mother died in his childhood, he experienced maternal love in my mother.

Death of Chaudhry Shamshad Ali: In January 1932 Chaudhry Shamshad Ali died of a bullet wound fulfilling the second part of my mother's ill-boding dream. The date of his death conformed to my dream of 20 years ago that I have already recounted in this narrative. In 1926 he had mentioned to me that the pension funds of all members of the Indian Civil Service, he being one, were proposed to be transferred to England. The Indian officers were being given an option either to encash the amount they had contributed or retain their membership even after transfer to England. He told me that he would get Rs.16,000 to 17,000 from the fund and had asked for it to be paid to him. I insisted that he must not get the amount back and keep subscribing. He agreed to recall his letter. On death he left behind nine children – five daughters and four sons. Only the eldest among the daughters was married. All the remaining children and his wife were entitled to get pension from the fund. Their pension added up to Rs.20,000 a year which they started receiving and was stopped as a child got married. His eldest son Nasrullah Khan joined the army and rose to become a colonel and since resigning from the army is in the management of Intercontinental Hotel. The younger son is air commodore in the air force and is still receiving his pension.

The first half of January 1932 came loaded with trying tragedies. By the seventeenth of the month I was weighed down with grief. The body was worn out and mind was so confused that it was hard for me to speak. Even my hearing was impaired but my presence in the court was necessary for I was to start arguments in the all-important inheritance issue of the Mamdot estate. Sir Miles Irving was the financial commissioner. Outside the court room I came across Syed Hasan Imam. He had come to know of the death of Chaudhry Shamshad Ali Khan through newspaper. Condoling and expressing sympathy he said that already feeling weak, he wondered whether, with grief added, I would at all he

able to argue the case. It would be advisable, he suggested, that both of us should see the financial commissioner to get the hearing postponed. I said that having come all the way and ready to argue, postponing the hearing wouldn't be advisable and I would finish the arguments in a day. I had to speak slowly to put across my viewpoint and completed my arguments by one o'clock. Syed Hasan Imam started at two and finished his arguments by four o'clock. At that stage the financial commissioner observed that he would hear the reply the next day. On that Syed Hasan Imam said it would be kind of him to extend the sitting by an hour for the reply to be concluded as Zafrulla Khan had to leave for Amritsar. He readily agreed and I concluded the reply within an hour.

The dispute was ultimately settled through a compromise. Nawab Shahnawaz Khan agreed to give Mamdot House, Lahore and lands in Montgomery district to the widow of the late Nawab. The rest of the property of the estate was transferred in the name of Nawab Shahnawaz. I left for Delhi in the evening to appear before the treason tribunal the next day. When I had embarked on the journey to London, the first prosecution witness was being cross-examined. His cross-examination was still in progress when I returned.

Advisory committee of the Round Table Conference: To attend to the work of the Round Table Conference in India, an advisery committee was formed under Viceroy Lord Wellington. I was nominated on it. Its meeting was convened at Delhi. While the Muslims of India waited for the British Government's decision on communal representation, it was delayed and a move was set afoot to stop the Muslims from attending the committee meeting. Maulana Shafi Daudi came to persuade me not to attend the meeting. I suggested to him whether it wouldn't be more effective if we were to attend the meeting but stop the committee from proceeding further till a decision on the communal composition. He surely said it would be more effective but there was no guarantee that the proceedings will be stopped. I offered to be the guarantor. The meeting of the committee was held and discussions started on the proposed

railway authority. When it was my turn to speak I said we were not willing to consider any issue till our representation in the Assembly was known. The Viceroy adjourned the meeting and the advisery committee, thus, ceased to exist.

Call from Mian Sir Fazle Hussain: I was in Lahore for the Easter holidays when I received a message by phone from Mian Sir Fazle Hussain that on the way to Delhi I should stop over at Simla to see him. There he called me to his bedroom and said: "Look at the state of my health. It leaves me no choice but to request the Viceroy to let me proceed on leave for four months". In the course of conversation, I gathered the impression that he was expecting me to ask him as to who would be acting in his absence. On my part, I had resolved not to ask that question and let him say if he so wished. Finally he said he had called me over as the Minister for India was very keen that I should attend the Third Round Table Conference. Therefore, in Delhi I should tell the chief commissioner that I would not be able to follow up the conspiracy case and he should think about my replacement. I said I would do as he directed but proceedings in that case were so slow that last year when I went to London to attend the Round Table Conference on return I found the very same prosecution witness was being cross-examined whom I was cross-examining before leaving. Chaudhry Mohammad Amin had faced no problem in my absence.

At that stage he said: "This time round your absence would be longer. For the first four months you will have to work at my post and then go to London conference. So it would be appropriate that you free yourself from the case. I have already spoken to the Viceroy, he has agreed and I should treat the arrangement as permanent". When I wanted to say a word to express my gratitude he hurriedly sent me off. The next morning I left for Delhi. The same day the Tribune paper carried a news that Sir Fazle Hussain was going on four months' leave and speculation was that a Lahore lawyer would officiate in his place. Reading the news, Mr. Safdar Ali, assistant jailor, who used to escort the accused from the jail to the court phoned to congratulate me guessing that the

lawyer in question would be me. I put him off by saying that the news gave no name. The next morning he again rang up to say that the name had been published but it was Dr. Sir Mohammad Iqbal's and not mine. My answer was: "he is far more deserving".

Temporary appointment in the Viceroy's Council:On the third day I received a letter from the Viceroy. Since it was still a confidential matter, I thought it would be appropriate to write a reply in my own hand, just as the Viceroy had written the letter in his hand. Then I went personally to the post office to dispatch it by registered post lest the news leaks. There I presented the letter to the counter clerk for I did not know how a letter is registered. Seeing the address on the letter, he must have imagined I was a deranged beggar who had decided why not ask for an alm from the Viceroy. He threw the letter back at me and angrily said: "These guys come from somewhere, without brains or common sense. Take this form and bring back filled". Apologising, I filled the form and presented it to him.

As the official announcement came, Mr. Durga Das who was Tribune's correspondent at Simla wrote "a low level lawyer has been appointed in place of Mian Fazle Hussain". Such like comment also came later off and on and every time I warned myself: "Look, never let arrogance overtake you. You are, indeed, a beggar but beg only at the door of your Creator, never from men. Be you a lawyer or someone else you are lowly, only he is exalted whom Allah raises high. You being ever lowly and humble kneel only before Him – and all the time".

I had known Durga Das and he would often come to see me. I would always treat him with great respect and courtesy and so would he to me. If ever he was critical it was only in good humour. Some years later when I was a judge of the federal court, the clerk of the Maidens Hotel post office who by then had completed the term of his service came to see me at my residence for some personal need. I was embarrassed that he might recall that I was the one who

didn't even know how to get a letter registered. I treated him with courtesy and complied with his request.

The accused in the conspiracy case: During the proceedings, the health of accused Gaja Nand Srasho Poldar started failing. Dr. Kitchlew moved a bail application in his behalf. The court allowed him bail for six months and also exempted him from appearing in the court. When he reported back he was sent to jail on the report of the doctor that he was in good health. After three or four weeks his health again declined. He was a young man of few words. The evidence showed that though he was involved in the conspiracy in the beginning later he distanced himself. He wasn't a party to any particular crime. I had decided that I wouldn't press for him to be charged. He would come to the court with the other accused but sit to a side, read a book and fall to sleep on the floor. He constantly declining health caused worry to me. One day I asked Dr. Kitchlew as to why he wasn't moving a bail application. He smilingly told me that he didn't have the money to pay the jail doctor. I told him that the government gave him one thousand rupees a month for defence and all that amount couldn't be going on drinks or sweets. Anyway, I asked him to move the bail application. The doctor's report was called. The report said one thing in one sentence and another in the other. In the rigmarole of medical terms the meaning was lost though, the report conceded his health was falling. I endorsed it adding that I was not prepared to shoulder the responsibility of his reaming in jail. That left the court no choice but to grant him bail.

At the end of the proceedings and my last day in the court, the judge made some formal farewell remarks which Dr. Kitchlew also endorsed. Two accused out of the lot stood up giving me an anxious moment whether they would protest against me. The gist of what they had to say was: "Whatever the president of the tribunal and our lawyer have said we endorse. We cannot evaluate Zafrulla Khan's legal ability but must say that he has pleaded on behalf of the crown with utmost nobility".

God in his splendour had lifted this undeserving, humble being from obscurity to put me in the Viceroy's Executive Council. And, alongside, by conveying to me the level of my wisdom and understanding, through a postal clerk, and the level of my ability by Durga Das saved me from hubris and arrogance. Further, His affection rose to a ferment and made the two youth, accused of terrorism and conspiracy whom, as the crown's counsel, I had been trying to send to jail for life, say words which, in the circumstances, perhaps had never been said by an accused for his prosecuting counsel. Prof. Nigham and his companion who were earlier set free on bail came to the railway station to see me off and also brought a message from Poldar that had he been fit enough, he would also have come.

The next day in Lahore the Unionist party hosted a lunch in honour Mian Fazle Hussain. There, he said he would not stand by my side and I must swim by my own resolve or drown for lack of it. But I must know that on Vajpai's promotion as secretary, a post of joint secretary would fall vacant. He had tried to persuade the Viceroy to appoint Ram Chandra but he did not agree for there were others senior to him in the department. Now, in my time a decision about a regular appointment would be made. If I could help Ram Chandra it would be a source of satisfaction to him.

Khan Bahadur Dinshaw Nadir Shah, Personal Assistant: In the evening I left Lahore for Simla accompanied by Sir Fazle Hussain's personal assistant Khan Bahadur Dinshaw Nadir Shah. At Kalka we rented a car for Simla. As the hill journey began, I spoke to Nadir Shah: "You know well that I have no experience of the work that awaits me. Nor I am acquainted with the men in authority. I would look up to you to let me know, as far as possible, the type of work and the rule of etiquette for dealing with high officials". He told me there and then some essential things which later were of great help. I gained from his experience. In Simla I was put up in "Retreat" which was the official residence of Sir Fazle Hussain who very graciously had left behind all his

personal belongings for my convenience. Moments after arrival, Khan Bahadur Nadir Shah told me that Mr. Read, acting secretary of the department, wished to come over to see me and so had other officers. I said I would go to my office the following day at 10, the secretary should come to my room and accompany me to see every officer, superintendent, assistant and clerk in their rooms. Khan Bahadur Nadir Shah said he would do as told but that has not been the custom, the officials come and call. I told him that may be the custom but it wasn't mine. I had come from outside while they were already there so it was my duty to go to them to introduce myself.

Preparation for attending the first meeting of the Viceroy's Council:The Viceroy's Council was to meet that very evening. In those days detailed papers were going from the government to the Minister for India. The concerned department would prepare the draft paper which was reviewed by the council and dispatched to the minister after amendments were approved. That evening the paper of the defence department was to come up for consideration. Since I knew nothing at all of defence affairs, it caused me worry the very first day. Though it wasn't necessary for me to participate in the discussion, at least I must know something about the proposal that I would be endorsing. Therefore, I began to study the paper with this prayer: "O my lord You know, and have power over, everything. In Your infinite mercy sharpen my mind and guide me".

On going through the paper, my first impression was that the quality of work in the central office of the government was of a very high order. The relevant facts were lucidly set out. Going through it, I also realised that the subject after all was not as difficult or complex as I had imagined. Wherever I saw room for improvement I made a pencil mark. As I finished reading the paper I was deeply conscious of Almighty Allah's help that enabled me to understand a subject that I had imagined would be hard to comprehend.

The work procedure in the meetings of the Viceroy's Council: The practice at the Viceregal Lodge was that a few minutes before the meeting the members of the council and the commander-in-chief would assemble in the ADC's largish room which also served as a reception hall. From there the ADC would lead them to the meeting room in the first floor and their designated seats. In Lord Wellington's time there was no dress restriction. The C in-C would be in his military uniform and the civilian members in their working clothes. Sir Erich Mule, Viceroy's private secretary, who had his table in a corner would announce the first item on the agenda, the Viceroy would explain the issue briefly and other members who so wished would give their views. In nine out of ten items agreement was reached in the course of discussion. Where differences persisted, the majority view was ascertained. Lord Wellington would rarely express his own view but sometime briefly elaborate the issue that helped in reaching a decision and he would cheerfully go along.

On the arrival of Lord Linlithgo, matters changed. Morning suit was made compulsory for the meetings. Sir James Grig, the Finance Minister, was strongly opposed to such restrictions and considered waste of time a sin. He was greatly upset on this restriction but couldn't help. In 1939 when the war broke out he spoke to me about ending the senseless dress restriction. He said, if I agreed, he would tell private secretary Sir Gilbert Laithwait that two of us were so busy that it was hard to find time to change clothes for the meeting. I wholeheartedly endorsed him. The restriction was withdrawn but the informality of Lord Wellington's days did not return to the meetings.

Lord Linlithgo would not address members by name, only by designation. His manner of address was always dry and formal. A member could speak only on turn. Every matter was put to vote. Resultantly, differences arose on every point. Lord Linlithgo would express his views at the very outset which promoted not unanimity but dissent. Lord Willington had once told me that for himself he had set a rule that whenever three Indian members were of one opinion he would go along even if the three European members and the

commander-in-chief held a different view. In the event Indians were on one side and four European on the other, his casting vote would be decisive.

I found Lord Wellington invariably abiding by the rule but very rarely the need arose for him to cast vote as, invariably, one or two from among the European members would join him. Sir Phillip Chatwood was with him in school and was also his friend. He would rarely express his opinion in matters political or administrative. And whenever he chose to say a thing it was extremely helpful. If he ever sensed that the council was not tending to agree with the Viceroy, he would either support him or present an alternative solution to which others agreed. Lord Wellington's personality promoted smooth proceedings. But above all that, in his time, Indians received special attention.

In Lord Linlithgo's time, though implementation of the constitutional plan continued, less regard was shown for the sentiments of the Indians. In the very first meeting Lord Willington gave an impression to a visitor that he respected him and sympathisesed with his needs and sentiments. Lord Linlithgo, on the other hand, left the impression of being indifferent. My personal relations with him remained cordial and his attitude towards me when he was Viceroy and later also was affectionate but he could not help his natural instincts. He would often say that, other things being equal, he could affirm with hand on heart that he preferred Indians – the "other things" however were seldom equal in his eyes.

Participation in the first meeting of the Viceroy's Council:Most in the council were known to me but it was my first brush with the commander-in-chief. In the Viceregal Lodge, his chief of staff, Sir Kenneth Vigram was with him because a defence proposal was the first to come up for discussion. As the meeting started I took the oath and debate on the defence summary began. Special attention was paid to every communication meant for the Secretary of State for India. Most paragraphs of the document were unanimously agreed. As I felt need for improvement in some paragraphs, I proposed amendments to which the commander–in-chief agreed after consulting General Vigram.

First introductory meeting with the officials of the departments: The next day Mr. Read went round with me introducing me to every officer, superintendent, assistant and clerk in their rooms. By midday I had met with hundreds of employees. Included in my portfolio were education, health, lands and 13 or 14 other minor departments like antiquities, Indians living overseas, survey of India, etc.

Offer to appear for the Government of India before the Capitation Rates Tribunal: Besides paying the salaries and other connected expenses of the British troops posted in India, a part of the cost incurred by the British government on their recruitment and training was also borne by the government of India. Such dues were called capitation charges. India had objected to the rate and asked for reduction. To resolve the matter a court was established comprising of two British and two Indian judges – Sir Shah Suleman, Chief Justice of Allahabad High Court and Sir Shadi Lal, Chief Justice of Lahore High Court. The court, named as the Capitation Rates Tribunal, was due to meet in London. A few days after I had arrived in Simla, the Viceroy told me that the commander-in-chief wanted me to represent India before the Tribunal. At the same time, he said, the Minister for India, insists that I must attend the Third Round Table Conference. Though I was grateful to the commander-in-chief to have selected me, I said I would rather attend the Round Table Conference for that way I would be able to serve better the cause of my country, and more particularly of the Muslims. I could make out that the commander-in-chief considering the amendments that I had proposed to his document in the Council had earned me his trust. Though I could not agree to what he had asked for I enjoyed his trust so long as he was in command. After retirement whenever I was in England he greeted me with great courtesy and extended hospitability.

Appointment of an Indian instead of an Englishman in the department of education, health and lands: Before my appointment, secretary of the education, health and land department, Sir Frank Novice, was member of Viceroy's Executive Council. One day, in passing, I asked Mian Fazle Hussain as to who was likely to replace him. Mian Sahib said it would be a great injustice if Vajpai were not to be appointed. He recommended Sir Girga Shankar Vajpai but the Viceroy was a bit hesitant. When he insisted he said Vajpai was not in good health. It was then decided that he should go to Vienna for medical checkup and may be appointed secretary if found fit. After he proceeded on leave a question arose who should be the acting secretary. Main Sahib recommended Mr. Ram Chandra. The Viceroy observed that since it was a temporary posting and Mr. Read was senior to him and also senior in the department he deserved to be the acting secretary. So when Mian Sahib proceeded on leave Mr. Read was the acting secretary, Ram Chandra was the acting joint secretary and Saleh Akbar Haidri was acting deputy secretary.

I had been incharge of the department just for three weeks when Mr. Vajpai sent his fitness certificate from Vienna. The civil surgeon also certified that he had fully regained his health. I sought Viceroy's permission to issue his posting order. He said I may but he failed to understand why Mian Fazle Hussain was so fond of him. At that stage, I told the Viceroy that the post of joint secretary soon to fall vacant also had to be filled. The Viceroy said he wanted Mr. Read, being senior, to be appointed joint secretary but Mian Fazle Hussain didn't like him. He sought my opinion. I said I had been there for too short a time to assess the performance of Read and Ram Chandra and should be able make a submission after his return. A few days later, Mr. Read mentioned to me that whenever the question of appointment of joint secretary arose, Mian Fazle Hussain told him that being senior he had the first right. Mr. Read hoped that I, too, would go along. I told him that Mian Sahib had never mentioned that to me. Mr. Read sought my permission to write to Sir Fazle Hussain for clarification. I permitted him. I also wrote to Mian Sahib saying that though I recalled what he

had told me, still I had permitted Mr. Read to write to him. Mian Sahib's reply was that he had clarified the matter to Mr. Read.

Mian Sahib in his letters always addressed me as "Dear Zafrulla". In this one it was "Dear Chaudhry Sahib". In reply I enquired what fault of mine had downgraded me from "Zafrulla" to "Chaudhry Sahib". His reply was that since now I held a high office, may be I mind being addressed by name. On my protest he assured me that in his mind there was no change about me. It occurred to me that he had changed the manner of address only to test my reaction.

Mr. Read told me that in reply to his letter Mian Sahib had written to him two letters. One was formal intended to be placed on the record as a reply to his letter which said just this much that he had sent his opinion to the officiating Member. The other letter was private in which Mian Sahib had explained that he was given officiating charge because of his seniority but for regular appointment his opinion was in favour of Ram Chandra. Mr. Read then told me that he had been put in a difficulty. On the one hand, he did not wish to put Sir Fazle Hussain in an embarrassing situation. If he were to be appointed that would not only displease Sir Fazle Hussain, he himself also would be unhappy. Further, if Ram Chandra were to supersede him it would leave a bad mark on his career. He had a solution for this dilemma in which he needed my help. Asked what could I do, he said Mr. Vajpai was due to come back on August 8 and from that very day he would become secretary and the post of joint secretary would fall vacant. Ram Chandra himself wanted to proceed on leave from that very date up to October 19. And since I would be minister during that period if I were to appoint him as joint secretary from October 19 on return from leave he would report to his own province and Ram Chandra could be made joint secretary.

If that resolved his problem, I said, I would be too happy to place that proposal before the Viceroy feeling confident that he would agree. When the Viceroy returned from tour I broached the subject with him. He asked for my opinion. I submitted that Read was an officer of noble disposition, I was new to the job and would require the secretary to express his views firmly and explicitly.

Though decision, undoubtedly, rested with me the secretary's note must bring out the and bad aspects of the subject. But I had observed that Mr. Read before writing his note was keen to ascertain my preference and would send up a note supporting it. That was of little help to me. Mr. Ram Chandra was barely average though somewhat better than Read but not to a degree for me to insist that he supersede him. Still he had a distinct edge over him on another score. In any portfolio the issue of overseas Indians is important and in the distribution of work it is a responsibility of the joint secretary. Ram Chandra had the experience of dealing with the subject. Read had none. Notwithstanding that, if Read were to deal with me only, I would be leaving on October 20 Sir Fazle Hussain was not in favour of his appointment and somehow if he were to be appointed it would cause problems for both. I explained the solution that Read had put forth to overcome the difficulty which appealed to me. So let it be, he said. I then submitted to the Viceroy that Saleh Haidri who was acting as deputy secretary was an able and promising officer and may be appointed deputy secretary. He said by all means. I issued the orders.

Lord Wellington's way to work was to approve a proposal in oral discussion which the concerned minister reduced in writing noting that it had the approval of the Viceroy. It wasn't necessary to submit the file to him for written approval. Lord Linlithgo changed the system. With him even if the matter was settled in discussion, the minister had to send up a written note on which he would record his approval in red ink. Though Mr. Read's problem was resolved to his satisfaction, it was widely debated in Simla's European circles that an unknown bearded maulvi minister in an officiating capacity had managed to get an Indian officer appointed as joint secretary in preference to a European officer.

Appointment of first Indian officer in the office of director general IMS: In those very days Gen. Mega was director general of the Indian Medical Service. The commissioner of public health was also ex-officio deputy director general. When that post fell vacant Gen Mega recommended that Col Russell

from Madras should be appointed. I called Gen Mega to ask whether there was an Indian officer in his department who could also be considered. I also asked him about the conditions that an officer must fulfil for appointment to the job. Gen. Mega said in reply that since the deputy director general also worked as public health commissioner it was necessary that the candidate in addition to being a Lieut colonal should also possess diploma in public health. I told him that at the time there were three Indian majors in the Indian Medical Service who possessed diploma in public health. Since soon they would be promoted, he should make a note on the file that any one of the three would be considered when the post falls vacant again. His answer was "Sir, I cannot bind the hands of my successor". On that I said "very well general, I shall do the binding".

Later, I mentioned the impending vacancy to the Viceroy adding that the director general had recommended Col Russell. The Viceroy said he had known Col Russell (when the Viceroy was governor of Madras) as a very able officer and whether I had any objection to his appointment. I said I had none but no Indian officer had till then been posted in the central office of the IMS. Three Indian majors who also possessed diploma in public health would shortly be performed as Lt. Cols. I wanted to make a note on the appointment order of Col Russell that any one of the three would be considered in the future. His reply was without a doubt I could. Accordingly, I issued instructions about the three officers in the appointment order of Col Russell noting at the end that it had the approval of the Viceroy.

Seeing my note, Gen Mega got furious and told deputy secretary Saleh Haidri that he wished to register a protest with the viceroy and he should get the minister's permission for him to see the Viceroy. Mr. Haidri told him that though the minister would unhesitatingly permit what will he have to say to the Viceroy. He had already agreed and the order now was of the Viceroy. Gen Mega had nothing to say.

On the completion of his term, Gen Mega became medical adviser to the Minister for India. He also published a book on the IMS. In 1937 when I went

to London to represent India in the coronation of King George VI he gifted his book to me with some very complementary remarks. As the post of deputy director general fell vacant again, Sir Fazle Hussain appointed Lt. Col Ganapati who was one of the three Indian officers whose names I had noted on the file. He was son in law of Sir Hari Singh Gowd.

My note of dissent on the Home Ministry's proposals on reforms to the Minister for India:Asthe proposals of the ministry on constitutional reforms intended for the Minister for India came up for discussion in the Viceroy's council, I found myself disagreeing with one of the paragraphs. The point at issue was as to who should be responsible for maintaining public order and compliance with the laws in the event of an emergency in a province. All other members of the council were agreeable to all the proposals in the summary. When I insisted on my amendment, it was decided to record my disagreement and I was told to write down my own dissent. I wrote a paragraph and sent it across to the private secretary. It opened on a note that "one of us was of the opinion". The private secretary rang me up to say whether he could record my name so that the Minister for India should know who was the dissenter. I said he surely could. A few days later a telegram from the Minister for India on the disputed matter said that the only appropriate and practicable solution of that difficult and complex issue was as suggested in the note of dissent. When the Minister's telegram came up for discussion in the council my colleagues again pressed hard that I should go along with them. My reply was that it was an unusual suggestion that I should give up my viewpoint to join the rest of them when the Minister for India considered only my proposal was right and practicable. The council had no option but to submit to my opinion.

Minister for India's proposal to reduce Muslim seats:Before Mian Sir Fazle Hussain proceeded on leave, the council had sent its recommendations on the religious composition of the councils to the Minister for India. His viewpoint

on the subject was received after Mian Sahib had left. The Minister had proposed that Muslim seats in Madras, Bombay and CP may be increased by one or two in each province but reduced in Punjab and Bengal councils. As soon as I saw the Minister's telegram I asked to see the Viceroy to protest against the minister's proposal. The Viceroy on his own also realised that Muslims stood little to gain by the increase of one or two sets in Madras, Bomabay and CP councils. But by reduction in Punjab and Bengal, they would lose their small majority. In Bengal, in fact, it would fall even below 48 per cent. I made it plain to the Viceroy that I may have to resign from the council if such a reduction was made as I would be rightly blamed for not being able to maintain in my officiating tenure the ratio that Sir Fazle Hussain had managed to establish. The Viceroy expressed sympathy for my view and promised to endorse it. He said he would instantly talk to the home minister, Sir Harry Hague, and the commander-in-chief to stand firm by the recommendations that the council had already made. Thus they would be three and I would be the fourth and even if the other members didn't go along the Viceroy would use his casting vote to form majority. Yet he hoped that the whole council would subscribe to the same view and I should not be worrying.

Issue of Muslim seats and meeting of Viceroy's Council: The council met that very evening. The Viceroy observed that we all knew how complex and troublesome was the issue and the time spent on discussing it. He said everybody should agree to stand by the earlier recommendation unless the Minister for India came up with another proposal backed by good reason. The council agreed to it. The proposal of the minister then came up for consideration. The Viceroy asked his private secretary to explain the minister's proposal for Madras:

Private Secretary: The minister has proposed that Muslims should get one more seat in Madras.

Viceroy: Has he given any reason?

Private Secretary: No, he hasn't.

Viceroy: Zafrulla, Do you want this extra seat in Madras?

Zafrulla: I wouldn't accept it if it means reduction in seats in Punjab and Bengal.

Viceroy: So we do not accept the minister's proposal.

Private Secretary: About Madras the Minister has also proposed that one out of the four seats reserved for women should be reserved for a Muslim woman.

Viceroy: It appears to be a reasonable proposal. Does anyone have any objection?

No one raised any objection and the proposal was approved. Thus the Viceroy made me say that we did not agree to an extra seat for Muslims in Bombay and CP by reducing their seats in Punjab and Bengal. About Punjab everybody agreed. But about Bengal Sir B.L. Mitra repeated his earlier objection that Hindus had been given representation lower than their population. To that I gave a detailed reply. Finally, it was decided that the recommendation already made should be repeated with the complaint of Sir B.L. Mitra that the representation of Hindus was not in proportion to their number. The British Government fixed the communal representation in accordance with the proposal.

Issue of Muslim seats in Bengal:Sir John Anderson had been appointed Governor of Bengal a short while earlier. He wrote to the Viceroy that he felt like a prisoner in the governor house. No Hindu or Muslim leader ever called on him. The Muslims have had no cause to complain for in the communal allocation the number of their seats, though not till then announced, had been raised from 28 to 48. If they established contact with him he should be able to satisfy them without disclosing details. He further wrote that if Zafrulla were to come to Calcutta for a few days, standstill in the situation may break.

The Viceroy told me that if I go there I should stay with the governor and see the leaders of Muslim public opinion there. I said I would go but it wouldn't be proper for me to stay in the governor house as the people who wished to see me wouldn't have an easy access. I would rather stay with Sir Abdul Halim Ghaznavi and meet everybody there.

At Ghaznavi's home I found great comfort. After that whenever I went to Calcutta before partition I would stay with him and his hospitality was always great. I returned carrying not a favourable impression of the Muslim leadership. Maulvi Abdul Qasim Fazlul Haq whom I had known came to see me with five or six others. Our conversation was marked by informality and he went back satisfied. In a short while he came back with three or four out of the lot and had some more discussions. Toward the end he came all by himself to say that, there being no formality between two of us, Hindus were persuading him that since the position of Muslims was weak they should strike a compromise with them (Hindus). He wanted me to tell him frankly that if the position of Muslims in the communal representation was indeed weak, they would try to explore a compromise with Hindus. I asked him what possibly could put the Muslims in a strong position. He said that presently Muslims had 40 per cent of the general seats. That is 28 per cent of total seats. If Muslims get 40 per cent of the total seats, it would strengthen their position. Hindus, he said, would possibly agree to concede 40 per cent in the event of joint electorates though presently they didn't appear so inclined.

My submission to him was that they could surely expect more than 40 per cent. He enquired whether it was in separate electorates. I said only in joint electorates. He said where was the need then for Muslims to beseech Hindus. I told him it was for them to decide keeping their interest in view. All I had to submit was that their decision should be unanimous and based on national interest keeping personal considerations aside. He agreed, still I must tell them how much more than 40 per cent could they expect – 42 or 45. I said even more than 45 per cent. He said whether that was on the basis of separate electorates.

My reply was without a doubt. "Truthfully", he said? I said, "surely, I am speaking the truth". He then said let it be so, what more he could ask for.

I advised them to approach the governor to seek confirmation of what I had said: They had to work with him and they should get to know him now and win his trust to facilitate cooperation in the future. My three-day stay in Calcutta, from morning to evening, was all devoted to that campaign. On the third day I met the governor at lunch and told him that he could expect cooperation from the influential men of the Muslim community. If he took the initiative he would find them ready to cooperate.

Mr. Husyen Shaheed Suharwardy: During that stay I also met Mr. Suhrawardy. He was then young still his ability was obvious. I advised the governor that in the event of a vacancy in Calcutta high court it would be appropriate to appoint him a judge. Were he to be inclined to go to the high court, he would soon have been appointed but his interest lay more in politics.

Ghandiji's fast against the proposal of separate electorates for untouchables and Poona Pact: The decision of the British government relating to communal representation implied separate electorates for the untouchables. Protesting against the decision, Ghandiji went on a fast in Poona. As his physical condition weakened the Hindu leaders ran around exploring a settlement with the leaders of the untouchable communities. It ended up in his fast at Poona. Hearing about it, the Viceroy summoned a meeting of the executive council. In that he observed that though the dispute had been resolved, Ghandiji had gone very weak, said to be critical, hence it would be appropriate for the council to recommend to the Minister for India immediately to implement it so that Ghandiji ends his fast and no undesirable situation arose. As all of my colleagues endorsed Viceroy's proposal, I said I was somewhat hesitant for a reason.

Viceroy: It is not an occasion to delay or object as it is extremely important to make Ghandiji end his fast.

Zafrulla Khan: What you say is wholly correct. I only wish to draw your attention to the fact that in the Poona Pact there is no representative of Hindus of Punjab and the untouchables of Punjab would get no seat under the decision of the British government but the seats were reserved for them in the Poona Pact. One day Hindus of Punjab could say that they do not agree to that part of the Pact. That may give rise to a new problem.

Viceroy: You only state the problem, also suggest a solution.

Zafrulla: If you permit I would also present a solution.

Viceroy: Go ahead, but time is short.

Zafrulla: You may adjourn the meeting and direct the private secretary to apprise Sardar Sikandar Hayat Khan (who was then acting as governor of Punjab) of the problem and advise him to summon the following three Hindu leaders who were then present in Simla: Dr. Gopi Chand Narang who is a minister in the Punjab government, 2, Raja Narinder Nath, leader of the Hindu Party in the Punjab council, 3, Bhai Permanand who represents Punjab Hindus in the central assembly and ask them whether they approve of the Poona Pact or not. If they do the purpose would be served. If they don't it should be made clear to them that the responsibility for the delay would lie on them and if an unpleasant situation arose they would have to carry the blame. My guess is that these gentleman would agree rather than carry the burden of blame. But if they were not to be bound down today, once Poona Pact is officially approved they may disown it on the plea that they were never consulted.

Finally, this proposal was agreed. By then it was noon-time. The meeting of the council was adjourned till six in the evening. Sir Sikandar Hayat reported that he could not speak to Raja Narindar Nath for that every day he had left Simla

for Lahore. He had a word with Dr. Gopi Chand Narang and Bhai Permanand. Dr. Narang finding no way out agreed but Bhai Permanand maintained that he could not possibly agree to the course adopted by Ghandiji. The national rights, he said, must not be decided by a man fasting or giving it up. It was a question of the rights of a community and the rights of Hindus of Punjab were in jeopardy. So he was not prepared to accept the pact. At that, Dr. Narang told Bhai Permanand he agreed with him but they were confronted with a difficult situation. It was a question of Ghandiji's life and if, by their action, the revered man came to harm they wouldn't be able to face the community. For some time Bhai Permanand stuck to his viewpoint but with tears welling up in his eyes he told Dr. Narang that though his heart was not in it he would agree to it on his insistence. On receiving this report the council affirmed its approval to the Minister for India. The British government agreed and Ghandiji gave up his fast.

Muslim delegates to the Third Round Table Conference: The delegates for the Third Round Table Conference were chosen during the time I was officiating as member of the Viceroy's Council in Mian Fazle Hussain's absence on leave. In the meeting I put forth the names of the Muslim delegation. One was straightway rejected by the Viceroy.• To the remaining, all agreed and their names along with the non-Muslim members were forwarded to the Minister for India.

The Minister did not agree to two names proposed by me. About Quaid-e-Azam (Mr. Jinnah) he wrote: "He harshly criticises everything but does not offer a positive solution. He now permanently resides in London and hardly has any direct concern with the affairs of India". About Allama Sir Mohammad Iqbal he wrote: "He attended the Second Round Table but did not utter a word during the conference".

As I forcefully insisted on both nominations the Viceroy sent my recommendation to the Minister for India. Finally, he agreed to invite Dr. Iqbal but my efforts for (Quaid-e-Azam) Mr. Jinnah to be invited failed.

Participation in the Third Round Table Conference: The four months that I officiated for Mian Fazle Hussain enabled me to get acquainted with the viewpoint of the government of India, and also to an extent of the Minister for India, on the subjects that were to come up for discussion in the Third Round Table Conference. When all of us, the delegates, went to see H.H. Sir Aga Khan at London, some from among us submitted to him that though communal representation had been agreed upon, we should know what other issues would be coming up to enable us to decide our stand. It was suggested to him that he should see the Minister for India and request him to directly talk to us and tell us how far would he go to accept our demands.

On my arrival in London, Sir Aga Khan had directed me to see him everyday some minutes before the time fixed for meeting with the delegation and to stay back for a while after each meeting. As I stayed back after the first meeting was over, he observed that our demand being tedious the Minister for India would never agree to it. If he were to talk separately to the delegates, the conference would not last for more than a few days as every party would lose faith in his neutrality. "What is your view on that", he asked me. I advised him to see the minister to earn his goodwill for the delegation and base what course to follow on his reaction. He told me after a few days that he had met with the minister and the impression he got was that since the chief obstacle of communal representation had been crossed, other issues raised by any other party should cause no worry to the government. Nevertheless, the British government would not be amenable to deciding all issues at once as it might convey the impression as if the government was seeking to strike a separate settlement with the Muslim delegation. It would be inappropriate and against the interest of the Muslim delegation as well.

The minister never declined to meet anyone but the demands specific to a delegation were never discussed. The Muslim delegates, he said, could see him at any time but only to seek clarification as he put forth the viewpoint of the

government. He would be explicit but if the delegation ever felt the need of any further clarification, he suggested, H.H the Aga Khan could see him or depute Zafrulla Khan who, over the past few months, had got well acquainted with the viewpoint of the government. I submitted to His Highness that he should mention to the delegation whatever the minister had told him but, if he considered it appropriate, he should not mention what the minister had said about me. His Highness explained the gist of his conversation with the minister to the delegates to their satisfaction.

Muslim demands and British Prime Minister's attitude: About communal representation I had a troubling doubt. During the Second Round Table Conference I had gathered an impression that while the Minister for India viewed the Muslim demands with sympathy, it saddened me when he proposed certain amendments to the recommendations of the government of India on communal representation which tended to weaken the Muslim position in Bengal and Punjab. I also felt sorry on my assessment about him going wrong. During the Third Round Table Conference his attitude appeared sympathetic and at the personal plane he treated me with affection. This contradiction caused a dilemma but it was soon to be resolved.

In the early days of the Third Round Table Conference, prime minister Macdonald individually invited some delegates to see him in his office in the House of Commons. I was one of them. When I went to see him, he said:
"Ever since you people left after the Second Round Table we were confronted with a number of domestic problems which did not permit me to spare much time to attend to the Indian issues. The question of communal representation, however, had been settled. I have been wishing to do something for the representation of the untouchable communities but my colleagues refused to go along. In Punjab and Bengal, too, more representation had to be given to Muslims at the insistence of my cabinet colleagues than I had in mind. I hope you people, likewise, would settle the subsidiary issues cheerfully".

It came to me as no surprise that the prime minister thought that I was a representative of non-Muslims (he always referred to His Highness the Nawab of Bhopal as the Maharaja of Bhopal) but I felt assured that reduction in the representation of Muslims in Bengal and Punjab was his doing and not Minister for India's.

Proposal to retain control of British Government on India's finances in the new constitution: Efforts were made in the Third Round Table to give practical shape to the agreed principles. A troublesome question related to the powers of the Minister for India on the finances of India. The demand of Indian delegates was that in the new constitution the government of India should have full control over its finances. The apprehension of the British delegates was that it would give a setback to India's trustworthiness in London's financial circles and cause financial loss to India.

To resolve the issues arising out of the transfer of financial controls from London to Delhi, the Minister for India formed a finance committee. The Muslim delegation was asked to nominate a member to represent it on the committee. Dr. Shafaat Ahmad Khan had studied the financial issues to an extent and had also published a booklet on the federal financial system. On my proposal, his name was forwarded for nomination on the committee. Two or three days later Mr. Latifi submitted to the Aga Khan that the Minister for India had desired that, instead, Zafrulla Khan should be nominated. I had no experience of financial matters nor I had studied the related questions. Yet another problem was that Dr. Shafaat had already been nominated.

The Aga Khan said that he had mentioned the problem to Shafaat who was agreeable that I should be nominated in his place. It left me no option but to join the committee. The members of the committee were all financial experts or had experience of finance. My seat was next to Sir Parshotamdas Thakurdas. I took very little part in the deliberations but listened attentively. After preliminary exchanges, the Minister for India proposed that the members of the committee

should also meet with the Governor of Bank of England, Sir Mantagu Norman and chief executives of five major British banks.

The members of the committee called on the governor where the principal officers of the five banks were also present. All of them agreed with the governor all the way. The governor while talking would pause for a while and ask his colleagues whether what he had said was correct and they would nod in agreement. The gist of the governor's views was that the prestige of India in English circles was very high chiefly because the borrowings by India and the timely payment of interest and interest on interest were guaranteed by the Minister for India. Consequently, the people who stake their money on such loans trust India and the benefit to India is that whenever it needed money it had no problem in getting it and that too at concessional rates of interest. He went on: "Now that you people sitting in Westminster are contemplating the constitutional future of India, we are not aware nor concerned with the political aspects of your task and you may decide as you wish but we can confidently predict the outcome of the political decisions that impinge on matters financial. As I have already said, the basis of the strength of India in London's financial market is the Minister for India's guarantee. If the Minister's hold on the Indian finance were to end or loosen and loans are not guaranteed by the minister, India's credibility must go down and it would be difficult to arrange loans for India and altogether impossible at the present concessional rates of interest".

Some committee members tried hard to find a flaw in the statement of the governor or any encouraging feature but to no avail. The governor continued: "Gentlemen, it is not a question of what I or my colleagues want. Finance has its own rules and standards and no one can wish a financial crisis away. Like mathematics and physics, finance is also bound by its rules which are not amenable to anyone's pleasure or politics. You may decide as you feel like. My colleagues and I have given you our assessment of London financial market's reaction to your decisions".

Turning to his companions he said: "Gentlemen, have I put it correctly"? Five heads nodded in unison. All this while I did not utter a single word. The governor's statement was clear admitting of no doubt. Then the governor turned to me: "You have no question to ask?" I said: "Sir, all that I can make out of your statement is that if as a result of constitutional reforms the authority over the Indian finances was to be transferred, even to the barest extent, from London to Delhi India's trust in London's financial market would steeply fall making it very difficult, indeed impossible, to raise loans for India. Have I understood it right?" "His comment was: "I had not stated my purpose in these very words but that is, more or less, what I had intended to convey". My reply was: "In such a situation it would be a waste of time to ask you any question. We are grateful for your clarifications; further discussions will be at Westminster".

The following day as the members of the committee exchanged views with the Minister for India on their meeting with the governor of the Bank of England, I kept quiet. The Minister then asked me about the impression that I had gathered. I said: "Sir, the governor is of the view that if control over the finances of India were to be transferred even to a small degree from London to Delhi, India would lose its standing in London's financial circles. My submission is that if political authority is transferred to Delhi but not the authority on finances, there would be such a violent upheaval in the relations between Britain and India that Britain would completely lose its trust in India. A choice between the two situations would be difficult but shall have to be made".

As I finished speaking, Sir Parshotamdas leaned towards me to say: "Where had you studied finance?" My reply was I knew nothing of finance. What was being discussed was not finance but common sense. The government of a country cannot be called independent if its finances are controlled by another government".

An incoherent speech by Pundit Nanak Chand:Representing Hindus in the Third Round Table Conference, among others, was Pundit Nanak Chand. As

the question of provincial autonomy came up for discussion, greatly excited he said that "while in all the other provinces the law and order department should be under the provincial government not so in Punjab because it had Muslim majority and Muslims are a very irresponsible element of the population". The example of this irresponsibility that he gave was of a member of the Punjab Council who had been arrested seven times charged with murder. I asked him whether the member was a Hindu or a Muslim. His reply was "leave that alone, he was a member of your party".

He was referring to a Hindu member of the Unionist Party who was accused of murder seven times but acquitted every time. The case related to pre-1926 period about which my knowledge was also based on hearsay. I had not known the man personally. The Pundit's disjointed and irrelevant , though fiery, speech had irked most members. Chairman Lord Snacky's boredom was writ large on his face. His "delightful" speech became so long that the session had to be extended 45 minutes beyond the usual time. At the end of the session as the members came down to collect their coats and umbrellas, the Pundit spoke to me thus: "Zafrulla, will you reply to my speech tomorrow? I said "no sir", "but why not" he asked. I said: "if I were to reply to your speech what would be the difference between you and me?" Some Englishmen who were there spontaneously burst into a laughter. The next day I spoke on the subject that was being debated. Ending my speech I said just this much: "Sir, in a speech yesterday a most unusual view was expressed that the law and order department in Punjab must not be transferred to the ministers. On that I would say only this much that if it were to be conceded all that we had been striving for years would come to naught". I had only to utter these words when an excited Lord Snacky intersected to say in "I entirely agree".

At the end of the Third Round Table Conference, Lord Snacky had some words of appreciation for the Indian delegates. In the Muslim delegation, His Highness the Aga Khan obviously deserved it the most, but he also conferred that distinction on me. On a later occasion when I was in London I was asked to

speak on Islam's economic system in a room in the Houses of Parliament. Lord Snacky was also there. At the end of my speech he sent a chit across to the chairman of the meeting that he, too, wanted to say a few words. Permitted, he had this to say: "I have had the privilege to work with Zafrulla Khan. About him I have only this much to say – once he has said a thing he firmly sticks to it. His word in itself is a signature, needing no formal signature".

Courtesy of railway staff in England: The sessions of the Third Round Table lasted longer than expected. That enabled me, like the First Round Table, to spend the Christmas holidays in England. Malik Abdullah Khalid was then in London for training after selection in the Indian Civil Service. Together we went to Torquet and on return were guests of Lord Blenzberg at Winchelsea. He had advised us to come to Hastings by train and from there his car would take us to his home nine miles away. Now just a village, at one time Winchelsea counted among five ports on England's south-eastern coast that were crucial for defence against invasion from sea. Since then the sea has receded and the stretch of land recovered from the sea is called Ramney Marsh. It is very fertile and fully inhabited.

Khalid Malik and I boarded a train for Hastings for Victoria station. We were engaged in conversation when the train stopped and a porter opened the door of our compartment to enquire whether we were getting down. We told him that we were going to Hastings. He told us that the part of the train that was to go to Hastings was detached at Polgate and we were at East Bourne. We had no option but to get down. I went to the station master and explained to him our predicament. He apologised for the staff at Victoria station for not advising us to sit in the rear part of the train. I told him that we were worried that our host's car waiting for us at Hastings would, meanwhile go back leaving us stranded. He told us not to worry as he would put us on the train for Polgate that was ready to depart. From there we would get a train for Hastings within minutes. We would be, thus, no more than 40 minutes late. He would telephone the station master of

Hastings to detain the car till then. A few minutes after putting us in the train, he came back running to tell us that the Hastings station master had told him that Lord Blenzberg's car had not yet reached but he had put a poster outside telling the driver to wait. As we reached Hastings the station master was on the platform waiting for us. He accompanied us to the car and waived us farewell.

This display of courtesy was a very pleasant experience for me. In my own country no one would have bothered. On return, I wrote an article for the journal "Daure Jadid" titled "Des Aur Pardes" (native and foreign land) comparing that pleasant experiences of travel by rail abroad with unpleasant experiences at home. In 1934 when my appointment as a central minister for commerce and railways was announced, an English language Newspaper published the English translation of my article with a note that the reforms the author would make remain to be seen".

Lord Blenzberg: As always Lord Blenzberg received us with great courtesy and our two days there were full of joy. So fascinating was his conversation that while he was there no one was missed. His language was flawless and the store of his knowledge was so vast that one did not have to look for a topic of conversation – one emerged from the other. Sometimes the conversation turned to religion. He had told me at the very outset that he subscribed to no faith in particular and he was not a churchgoer. In fine arts he was interested in photography, music and stained-glass craft. He had spent a big sum in decorating two windows of the Winchelsea church. His two nephews had died fighting in the First World War. One window was to commemorate them and the other a tribute to the crew of a lifeboat who had sacrificed their lives in the ocean to save the lives of the passengers of a ship caught in a storm. Later, he had all the windows of the church similarly decorated. The inauguration ceremony of the windows was held with great pomp. The project had cost him 75,000 pounds. Pilgrims from far and near came to Winchelsea to see the windows.

He was also interested in painting and would encourage young painters. He bought Winchelsea's largest mansion called Gray Friars and spent a large sum on its repairs, renovation and furnishings. The walls of that mansion and his home in London were all but covered with the best and worst specimens of painting that he kept buying to encourage painters. He was very indulgent towards his household staff. Whenever he asked them for a chore, his language and demeanour gave the impression as if he was asking for a favour in all humility. Once when I was staying with him after dinner he planned to go to a concert and asked me to accompany him. On telephone he arranged for three tickets. That made me think he intended to invite yet another guest but I was alone with him up to Hastings. As we arrived there he gave the third thicket to his driver telling him that as the concert ends he should bring the car to the door without undue haste where we would be waiting for him.

Grey Friars was my second home away from home. Whenever I went to London and Lord Blenzberg came to know of it, he would call me over to his house to plan a visit to Winchelsea. I had his standing invitation to bring a friend along whoever he might be as I well knew his house was commodious. It would cause him no inconvenience and he would be feel happy that I wasn't lonely. Thus many of my friends had the opportunity to be guests at Grey Friar with me to enjoy the company of Lord Blenzberg.

Mr. Donald, the solicitor, had narrated to me two incidents shedding light on the character of Lord Blenzberg. First, when he was a chancery judge a dispute came up in his court in which the plaintiff alleged that since the respondent had broken the agreement he was entitled to damages. He ruled that the plaintiff indeed deserved compensation and decreed in his favour. A few days later he came across the respondent's counsel at a party. When he told the council that at a certain stage it was incumbent on his client to have offered the fulfilment of the agreement to the plaintiff. The council confirmed he had indeed done that. Then, he asked, why didn't he draw his attention to that in the course of arguments. He said because the letter that he had written to him (the plaintiff)

was "without prejudice" hence it would not have been appropriate for him to produce it. The next day he called the respondent's counsel, gave him a cheque saying it was for the amount that he owed to the second party under his order but he should take care that the second party doesn't suspect that he (the judge) had paid the amount.

In the second incident a police inspector of Bengal was convicted in a criminal case. His appeal and revision both were rejected and he was removed from his post. He applied for special permission to go in appeal to the Privy Council and appeared personally to argue. Lord Blenzberg was the president of the board. He explained to him that in matters criminal the permission for petition to the Privy Council was given only in such exceptional cases where a court had passed an order which it was not authorised to pass. That was not the position in his case. The petitioner left the room in tears. George Lansdowne who then was practicing in the Privy Council was also present in the room. Lord Blenzberg addressing him said: "Sir George, rush and find out from that man his London address". Getting the address, Lord Blenzberg sent to the petitioner a cheque of an amount enough to cover the expenses of his return journey to Calcutta. At the same time he also wrote a personal letter to the Minister for India requesting him to call over the papers of the petitioner and satisfy himself whether any injustice had been done to him.

In the course of evening powwows at the Grey Friars sometimes maters of Divinity came up for discussion. I would put across whatever little I knew of the Islamic teachings. I felt that as he advanced in age his interest in the life hereafter grew. Once he said: "Zafrulla, whatever you say is so reasonable and acceptable that I feel sorry why more light was not thrown on the subject". I said "light is there, only doors, windows and ventilators have to be opened and shutters lifted". He said "you are right".

In 1939 when the war broke out he provided room in Grey Friars for 20 to 25 London children to live in relative safety. The children came under the care of a woman teacher. Lady Tewstock later told me that he wanted the children

from the poorest of homes to be lodged in the guest room. She told him that all his things would be damaged and the house shall have be refurbished all over again. It would be therefore better to put them up in the rooms on the third floor and his servants who know well the value and worth of the furnishings shift to the room for guests. It was so arranged. Lord Blenzberg got the children new tidy clothes and they lived happily in the comfort of Grey Friars.

In November when I went again to London for a conference, I went to mark my presence at Winchelsea. Anwar Ahmad was with me. Lord Blenzberg then told me that every Sunday morning he gave a pence to every child as pocket money. The next morning I also collected some pence coins and gave one to each child when they returned from their morning stroll. They were delighted. One of them said "this week has brought two Sundays".

The last days of Sir Shadi Lal: Talking of Sir Shadi Lal, Lord Blenzberg once said that whenever he referred to me he only had a word of praise for me. I said it was because he knew that he (Lord Blenzberg) was kind to me. Once he asked me whether Sir Shadi Lal was a rich man. I said by the standards of England he was not rich but quite well off. By our standards, however, he could be counted among the rich. He then asked what use he made of his money. "What I wish to know", he said, "whether he spends a part of his wealth on purposes which make people happy or are of interest to them". I said I had never heard of that. What generally said is that he wanted to leave behind a lot of property for his children. "If that is correct", he said, "tell me Zafrulla what would be the train of his thought on the death-bed".

Sir Shadi Lal had resigned from the judgeship of Privy Council in 1938 and shifted to New Delhi in his own bungalow. Within a year his health started declining. Towards the end he was helplessly confined to his bed. He had known Roy Bahadur Lala Ram Saran Das since long. Once Roy Bahadur came to Delhi and also dropped by to see me. He was an old-fashioned, venerable man of great dignity. He looked very distracted. When I asked him the reason he

said: "One should always stand in awe of Permeshawar (God). I have been to see sir Shadi Lal. He is too weak even to recognise me and unawares of his surroundings. You know how awesome was his presence and how the people cringed before him when he was chief justice of Punjab. All his life he worried that he should leave a lot of wealth for his children. Even now his sons receive and spend his pension while he is not aware of his own being. He lies in an old cot in a room opening in the verandah with not even an attendant around who would bring him water when thirsty".

The narrative of Roy Bahadur brought back to my mind Lord Blenzberg's question about the train of Sir Shadi Lal's thought in the deathbed. Once I was going by car from London to Winchelsea in the company of Lord Blenzberg when he asked his driver Jack to switch on the radio. The news reported that Hitler's armies had entered Austria. After the news, Lord Blenzberg mused: "Only God knows where this man would stop. Truly speaking to stop him we would need a bully. Our bully is Churchill. But everybody is wary of getting him into the cabinet for if he is taken he would really be the cabinet".

Pundit Nanak Chand: As the Third Round Table Conference ended, I returned to Lahore. One day in the bar room of the high court a Hindu colleague told me that the previous evening Pundit Nanak Chand had delivered a speech at the DAV College on the Third Round Table Conference. During the speech he mentioned me in very glowing terms adding that in the conference I had earned a very good name and Punjab should be proud of me. A little later I also came across Pundit Nanak Chand. He asked me whether I knew what he had said about me. I said "I have just heard it and I am very grateful to you for that but you have also created a problem for me". He said "what problem"? I said since he had praised me it was incumbent upon me to praise him. He laughed heartily. I then told him that I could do him one service. "I could make a statement in any meeting or crowd that in the conference you had kept me on the run all the time".

He said: "Very good, excellent, I agree. When you say that Hindus imagining that I had served them well in the conference would vote for me in the next election".

Khan Bhadur Kuli Khan: A few days later I had to face a situation to the contrary. Syed Afzal Ali was assistant commissioner income tax at Peshawar. I went to see him there. In the afternoon he said his one gracious friend was very keen to see me. He visited the club every day. We should go to see him there. In the club, he introduced me to Khan Bhadur Kuli Khan. He met me with great affection and said he did not know much about the intricacies of the discussion in the Round Table Conference but knew this much that the Hindu newspapers wrote in very bad terms about me. That made him believe that I was a devout Muslim.

I got on to very friendly terms with Khan Bahadur Kuli Khan. From 1935 onwards whenever he came to Delhi or Simla he put up with me and sustained the friendship with utmost sincerity. When Miss Alice was abducted, the Frontier government asked him to launch a campaign for her recovery. That task he performed extremely well though in the last stages the episode came to a close at the hands of his successor Khan Bahadur Mughal Baz Khan. When Kuli Khan narrated the story to me I asked him whether the government had acknowledged his feat in some way. He said: "Chaudhry Sahib, Mughal Baz Khan received plenty of awards and acclaim, I got only two squares of land and a medal that is usually given to women" "Kaisre Hind or something like that", he said.

End of Delhi conspiracy case: Reaching Delhi, the Viceroy called me. In the course of conversation he said: "Going by your advice we had decided to abolish the tribunal and prosecute the accused in the conspiracy case in regular courts". I said: "Done that way from the outset a good deal of money and time would have been saved".

The British Government's White Paper on the proposals emerging out of the Round Table Conference for constitutional reforms: Following the Round Table Conferences, the British government put forth its proposals in the form of a White Paper before the parliament. A committee of both houses was formed to consider the Paper. Lord Linlithgo who later became Viceroy of India was the chairman of the committee. Among its members were three former Viceroys – Lord Harding, Lord Reading and Lord Irvin. Besides these three, Marquis of Salisbury, Archbishop of Canterbury, Sir Austin Chamberlain, Lord Derby, Lord Zetland and many other members of the parliaments were also members of the committee. At the stage of examining the witnesses, a mission from India was associated with the committee to assist it. I was among its members. The session of the joint committee began in the spring of 1933. Reaching London, as was my wont, I presented myself before His Highness Sir Aga Khan. He appeared a bit distraught. He handed me a telegram in his name from Dr. Shafaat Ahmad Khan. Its contents were: "Congratulations, I have been elected chairman for the next session of the All Parties Muslim Conference. Now among the Muslims I have the same position as Gandhiji has among the Hindus". That was the reason for his being so upset.

Depositions before the Parliament's joint committee: The witnesses appearing before the committee came from India as well as England – some in their personal capacity, others representing communities. Some supported the White Paper, others opposed it. Sir Michael O'Dyre and others of his ilk had opened a front in England against the White Paper and succeeded in securing the endorsement of Mr. Churchill. Sir Michael and his colleagues deposed before the committee. Mr. Churchill also came with all the weight of his personality. Sir John Thomson who had been chief commissioner of Delhi had established a society to support the Paper and became its vice chairman but made no appearance before the committee. The society's activities remained confined to

enlisting public support. From India a delegation appeared which had a respectable Brahmin form Maharashtra as its leader. Though he was for India's independence, his condition was that the parliament of independent India should have no authority to enact any law that has a bearing on religious belief. In the cross-examination Sir Taj Bahadur Sapru and Mr. Jaykar tried their best to convince him that such a restriction on the legislative authority would be impossible to implement but he refused to budge. Fed up, Mr. Jaykar asked him: "If you are such a staunch protagonist of religion, you must concede that in your religious belief an overseas journey endangers spiritual salvation". He said: "I concede that". Mr. Jaikar than asked him why he had acted contrary to the teachings of his religion. He replied: "I have exposed the well-being of my spirit to danger only to safeguard the well-being of the souls of millions of my companions". He said this with such zeal and sincerity that the members of the conference could not help but spontaneously pay a tribute to him.

Mr. Churchill's evidence before the joint committee: Among the people who came to depose before the committee the most effective, undoubtedly, was Mr. Churchill. His evidence continued for four days. Mr. Churchill was opposed hundred per cent to every proposal in the White Paper and the plan itself. In the course of questions put to him, the Minister for India, Sir Taj Bahadur Sapru, Mr. Jaykar, Sir Hari Singh Gowda and some others tried, in whatever way they could, but Mr. Churchill did not budge a bit from his stated position. In his previous speeches, Mr. Churchill had committed to a dominion status for India. Reminded of that, he said: "Even now I am a supporter of the dominion status. But India has already achieved that. India had signed the Treaty of Versailles, India is a member of the League of Nations, this this is what the dominion status is. But status is one thing and powers of the dominion another. And for that India is not ready yet. Nine-tenth of the Indian population has no interest in such matters. They are not concerned what animal the self-rule is and what responsibilities it entails and how they are to be discharged. Their interest lies in continued peace,

justice and safeguards of their well-being. That is happening in the current system. Political demands are a mere rukus created by selfish politicians".

Where the Minister for India who was the author of the White Paper and stalwarts of India's politics had failed, I had no inclination to cross swords with that seasoned fighter of a statesman. It was my routine to reach the venue of the committee well before the session to read or write. One day I was so occupied when I felt the weight of a hand on my shoulder. As I looked up I saw the Minister for India. He said: "Zafrulla, may be it is your turn to speak today. Do you have a question for Mr. Churchill." I said it wouldn't befit me. "All of us", he observed, "are making a mistake in quizzing Mr. Churchill on the basis of his past speeches. He is a clever parliamentarian. Haven't you noticed how cleverly he evades answering by placing his own interpretation on what he had said in the past that "status is one thing and authority another". Cross-examination on these lines would be of no avail. If you wish to put a question to him it should relate to the conditions presently obtaining in India of which he has no knowledge. He thinks India is the same today as it was 30-35 years ago when he was serving in the army at Bangalore. He is here today indoctrinated in the school of O'Dyer, himself knowing very little about today's India. You take him into an area of which you know much but he doesn't and you will find him unarmed". I thanked the minister saying I will try.

Sardar Boota Singh's cross-examination of Churchill: In the afternoon session, Sardar Boota Singh Virk was called to question Churchill. He was a lawyer of Sheikhpura and vice chairman of the Punjab Council. He represented Sikhs in the joint committee. He was very keen to cross-examine Churchill. His seat was to my right. He was a great guy trapped in an unfamiliar environment. He spoke English in typical Punjabi accent but was confident and courageous. As the chairman called his name, he immediately picked up his papers, put on his spectacles and thus addressed Churchill in a very affectionate manner: "I wish to put some questions to you". Jerking his cigar, Churchill said "gladly, gladly".

Sardar Sahib said "Mr. Churchill you have said" (then he whispered to me in Punjabi "brother, did he say mob,". (I said he had said 'masses'). Ok you said masses have no interest in such issues". Churchill said "yes I did say that masses, the ordinary Indians, were not interested in these issues".

Sardar Sahib then asked him: "Well, what would you have to say if I were to tell you that I am the masses". Mr. Churchill smilingly replied "I would congratulate the masses". This kind of banter between Sardar Sahib and Mr. Churchill lasted for good 20 minutes imparting a light touch to serious discussions. When it was my turn to speak Mr. Churchill must have thought to himself that a bearded man had aroused laughter, now another bearded man would surpass him. Incidentally, both of us were Jats (farmers) from Punjab.

My cross-examination of Mr. Churchill:Mr. Churchill had appeared before the committee as a witness. Though he had not been a part of the British cabinet for some years, he unquestionably remained a bright star on the horizon of British politics – the grandson of a duke, son of a chancellor of the exchequer, minister of the navy in the First World War, an experienced political leader, an influential member of the parliament, a litterateur of high stature, a famous critic and historian. In short he was a man held in esteem on every count. And further, in such committees the witnesses are viewed in the same light as the members.

In my questions and in the tone and tenor of putting them across I was extremely respectful and he replied in full courtesy. To begin with he answered my questions unhesitantly and he conceded whatever was worth conceding and owned what he must.

As he assessed that from his admissions I was wanting to prove that India was not only demanding independence but was also ready for it, his attitude changed and he became evasive. When he evaded my one question twice, I submitted: "Mr. Churchill my problem is that English is not my mother tongue and despite trying twice I have not been able to put across my purpose. Therefore if you permit I would try once again". Since he was now on his guard, I had so

to phrase my questions that he should not be able to evade answers. I also had the benefit, as the Minister for India had told me, of Churchill not being acquainted with India's prevalent conditions. So when I tried to prove that India, by and large, fulfilled the standards that he himself had set and started outlining the ground reality in support of that contention especially in Punjab of which he had no knowledge, he had no alternative but to concede. As his answer to every question became "I do not know", force of his evidence was lost. After he had conceded lack of knowledge in reply to two or three questions and he kept conceding, the foundation of the standpoint that he had placed before the committee against constitutional reforms in India was eroded.

My cross-examination was continuing when the session was adjourned to the next day. The next day it lasted for yet another hour. After I had concluded my cross-examination and thanked Mr. Churchill, very generously he rose to remark: "Lord Chairman, I did not feel that Mr. Zafrulla Khan faced any difficulty on account of English not being his mother tongue".

On the fourth day as the cross-examination of Mr. Churchill concluded, the whole committee paid a tribute to him with a long applause. Mr. Churchill then rose from his chair and walked up to me, shook my hand and smilingly said: "You have given me two most difficult hours before this committee". This acknowledgment was an evidence of his greatness. If I had succeeded, howsoever slightly, in dispelling the effect of the hostile impression Mr. Churchill had created on the minds of the committee members, the credit went mostly to the Minister for India who had told me an effective approach in cross-examining Churchill. The credit also belongs to Mian Sir Fazle Hussain through whose endeavours the backward province of Punjab had so successfully worked out the system of reforms that in a few years it ranked among the developed provinces of India. In the cross-examination of Mr. Churchill I had quoted the example of Punjab province to prove that India was ready for more reforms.

It was my privilege to have met Mr. Churchill on quite a few occasions after that. He always treated me with great courtesy.

Sir Miachel O' Dyre's evidence before the joint committee:Sir Miachel O' Dyre also came alongwith his colleagues for recording his evidence. When even to him I quoted Punjab as an example of progress, he spontaneously said: "Mr. Zafrulla Khan, you have chosen the best province". I replied: "The example chosen is always the best". As I drew his attention to the projects that were implemented in the province for the well-being of the people, he said about some of them "these were initiated in my time" or had come under consideration when he was there or he had drawn attention to them. On that I had to say: "It wasn't my intention to overlook your efforts but only to show that in the sub-continent examples of political maturity, public service, economic and industrial progress, educational and intellectual pursuits, establishment and growth of preventive health and medical institutions were abundant and fast progressing."

Participation in the Commonwealth Relations Conference at Toronto:In summer the committee went into recess for a few weeks and most Indian delegates returned home. The secretary general of the Royal Institute of International Affairs, Mr. Wilson Macadam, spoke to me about a Commonwealth relations conference that was going to be held in the Canadian city of Toronto in August. It would be appropriate, he said, if a delegation from India were also to participate.

Sir Ramaswami Mudliar, Mir Maqbul Mahmud and I were invited to the conference. We sailed from Liverpool for Montreal. The ship anchored for a few hours at Quebec. The view of the city from the ship was extremely fascinating. It appeared as if a piece from the 18th century France had been hived off and placed on the banks of St. Lawrence. As the ship lifted the anchor one could see a bridge ahead on the river. As the ship came close, it seemed either the bridge would part at the middle or the sails of the ship would break into bits as they hit the bridge. The ship continued to approach the bridge but it did not part. Looking at the scene some passengers burst into cries as the ship was about to get

under the bridge. To the naked eye it appeared as if the sails had lowered themselves and after passing under the bridge unfolded to rise to the normal height. In fact it was just a mirage – the bridge was high enough for the ship to pass under, only the eye was deluded.

From Quebec to Montreal the people of French race inhabit both banks. Reaching Montreal by sunset, we stayed the night Ford Hotel. The city is a compound of America and Europe – especially of France and Canada. It was my first visit to the new world which indeed appeared new to me in every way. Truly speaking, such was my impression about every other city and part of Canada. The conference at Toronto was held in the University's Hart House where the warden also arranged our stay.

First journey to New York: The next day I left for New York. The warm weather made me feel very thirsty. In the station's buffet I asked for butter-milk to make *lassi* (a Punjabi rural drink) and heartily drank it by adding a pinch of salt. By sunset I was in New York where I knew no one. Looking out of the train window I saw many hoardings of hotels. I selected Paramount close to the Grand Central Station. Those were the days of Great Depression in the United States and talk was mostly about President Roosevelt's New Deal. In England also the currency depreciated after the gold standard was abandoned but the sterling was strong in relation to dollar – five dollars to a pound. Everything in New York was therefore cheaper, travel in particular. The fare by bus or train from one point to any other was mere five cents and a shilling fetched 25 cents. The fare for the Fifth Avenue bus was however 10 cents i.e. a little less than five pence. One way of seeing New York was to board a Fifth Avenue bus, sit on the upper deck and go up to the other end of the city. I stayed in New York for three days sightseeing all the time.

From mid-August 1961 to February 1964 I was stationed in New York but had no chance to see many places that I had seen in those three days. It was only in those three days that I had a view of the sea through the eyes of the Statue of

Liberty. From New York I went back to Toronto to speak at the Empire Parliamentary Association.

First journey to Chicago and participation in the World Faiths Congress: From Toronto I went to Chicago where the Mahraja of Baroda was due to open an inter-faith conference in Hotel Morrison and I was invited to speak. Sufi Matiur Rehman accompanied by some American friends greeted me with an enthusiasm and courtesy as if we were long-separated brothers. The expression of such bonhomie in a western country in the very first meeting was unusual and also proved somewhat problematic. From the station to the congress hotel I waited for a private meeting with my friend Sufi but could not have even a word with him as his American friends practically occupied the hotel room showering questions at me. I was hoping for peace but the prospect seemed to be ever receding. Sufi Sahib looked happy that his American friends were entertaining his guest and introducing this or that buddy to me. Till then I was familiar with "buddy" only as a part of the word "Kbuddy" (a kind of native rural wrestling) and couldn't make out the relationship it signified to the Americans. Finally, as I saw off my kind friends heartily thanking them I was told that the expressions of courtesy and hospitality were not at all feigned but were a part of the American temperament. In the times to come I was destined to witness it at a larger scale.

Mr. Michael Powels:One of those gentlemen, Michael was married with two children – the elder being a son. He invited me to his house. After dinner he insisted that I select a tie from his ties. Later, whenever I was in Chicago, we spent a good deal of time together. His wife Dorothy had become so familiar with my habits and needs that I never had to ask for a thing twice. I saw their son grow up, leave school and enter the university.

Once Michael said that Purdue University was playing a football match with Illinois University and if I went along it would please Michael, his son.

There the president of the university, Mr. Hood, invited us to lunch. At the match my seat was to the right of Mrs. Hoode. At every exciting moment in the play she vigorously shook my left arm only to apologise when the calm returned. It was first occasion for me to witness American football. I had never seen so much excitement as the American football generates. Going through the city one could see the students masquerading in strange attires. At one place a female figure nine feet tall and two feet wide carved out of a cardboard was shown holding a cardboard boy by the hair and repeatedly dipping it in an imaginary tub. Above that was written in bold letters "well duck Illinois". I learnt the meaning of "duck" for the first time. I asked Mr. Hood whether he expected his team to win. His reply was, not at all. Then I knew little about the rules of American football and could form no opinion about the play. I would just listen to Mrs. Hood but from the excitement of the crowd and gimmicks of the cheer leaders I could guess that the spectators were not only interested in the play but, in a manner of saying were themselves playing. As Purdue beat Illinois, thunderous noise was like hell let loose.

Michael and I were guests of the university. After lunch, Michael and his son having escorted me to my room and feeling assured that the noise and festivity around wouldn't disturb my sleep, returned to join the victory celebrations. While departing Michael told his son "young man, first find me a date and then go wherever you wish to".

Sufi Matiur Rehman had an interesting story to tell: A white American Muslim lawyer bought a book on the world history that was being published in installments. In the first part of the early history of Islam contained the same fictional stories and events that are rampant in the west about Islam. He refused to pay the price on the ground that it wasn't a book of history but fiction. The publishers went to the court. Thee the buyer, too, took the same stand. Evidence was recorded. Sufi Matiur Rehman, Dr. Bradon and some other acknowledged orientalists recorded their testimonies. The court held that since the book indeed

was a fiction the plaintiff was not entitled to the price. The plaint was rejected and expenses of the respondent were also to be borne by the plaintiff.

In Toronto the lodging of the delegates was arranged in the hostels of the colleges of the university. The Canadian Institute of International Affairs was the host. Its president, Mr. Rawly, was a successful lawyer who later became chief justice of Ontario. Mr. and Mrs. Rawly arranged a garden party at their home to honour the delegates. To such receptions Mir Maqbul Mahmud went in expensive Indian attire. Since as secretary of the Chamber of Princes he was considered a representative of the rulers of the states, in conference circles he was addressed as his highness. Mrs. Dunlop arranged a grand reception for the delegates at his farm. Her husband was qualified as a lawyer but instead of practicing law he became a school teacher.

Some enterprising youth who had formed a company in the hope of mining silver approached Mr. Dunlop to prepare legal papers in return for an adequate number of shares in the company. The company could not discover silver but struck gold making Mr. Dunlop rich overnight. He was keen on developing an agriculture farm as his chest was weak and he wished to live in open air but life failed him. He soon died of tuberculosis. Mrs. Dunlop developed the farm in his memory. What a farm! It was a paradise for the cattle. When we went to see the cattle house from a distance I imagined as if those were the residential quarters of the manager and his staff. The doors and windows were screened and boxes of flowers placed in the windows. Once inside we discovered, that all this comfort and luxury was for the mother cow. Every cow had a stall to herself with cushioned bed, excellent fodder and clean water. For music there was a radio. At the milking time – morning and evening – sweet notes of music would entertain those goddesses of milk. About one cow we were told that her stall that was directly under the radio had to be changed as she had stopped giving milk. Brought back to her stand she resumed it in abundance.

To bring over a high bread calf of delicate body, an aircraft was arranged and he was lowered into the farm by a parachute. Those were the days when it

fell to the lot of only a chosen few to travel by air. The roof of the main room of a residential house in the farm was built higher than the rest to keep in it a wooden hut for Mr. and Mrs. Dunlop's honeymoon.

The Commonwealth Conference: A number of issues came up for discussion in the panels of the conference. An interesting issue to come up was whether members could possibly opt to be neutral in a war in which the majority had joined. No agreement was then reached but in 1939 when the Second World War started all Commonwealth nations followed Britain in waging war against Germany. Ireland remained neutral and yet remained a member of the Commonwealth. It was a necessary condition for every member country to accept the British monarch as its king. Later this condition, too, fell into disuse when India and Pakistan became independent but continued as members of the Commonwealth. Now every British colony on gaining independence becomes a democratic republic and also continues as a member of the Commonwealth. Though the Queen of England remains the sovereign but it is a relationship of no significance. By invading Pakistan in 1965, India also drove home the point that, let alone remaining neutral in war against a third country, the member countries could even go to war against each other. The truth is that though the Commonwealth survives in name, it is without substance. Only Britain and the older members, i.e. Canada, Australia and New Zealand are keeping the concept of Commonwealth alive by beating its drum around their necks.

From among those people whom I met during this conference, I became friendly with Phillip Noel Baker and our friendship grew with the passage of time. He was high commissioner in London and later was the first Canadian governor general of Canada. The Hart House building in Toronto university is a gift from his family. In a reception for the delegates in Toronto university museum, I ran into Prof G.S. Baret who was professor of philosophy at Government College, Lahore and resigned to return to Toronto University 24 years ago.

Conclusion of evidence before the joint Parliamentary Committee: The conference ending, I returned to London where the Joint Parliamentary Committee had resumed its sessions. By November the evidence before the committee was over. Before returning to Lahore I called on the Minister for India to discuss a proposal about conferring honour on some Indian delegates. I being one of them. If that was true, In requested him to add another favour to many that he had done to me by omitting my name. After a moment's silence he said some prominent members of the committee, for instance, Marquis of Salisbury, Austin Chamberlain, Archbishop of Canterbury had all greatly appreciated my work in the conference and admired me a great deal. If my name was not included they would be sorry and surprised, that such an omission took place. I said he should tell them that my name had been omitted at my own request. At the end of public hearings of the committee, its members started deliberations on the White Paper and I returned to Lahore and got busy with my court work.

Offer from Sir Shadi Lal judgeship of high court in 1934: At the beginning of 1934, Sir Shadi Lal spoke to Chaudhry Shahbuddin that he wished Zafrulla Khan to be a judge of the high court and as a vacancy was arising Chaudhry Sahib should advise me to see him. I submitted to Chaudhry Shahbuddin that he should tell the chief justice that I was grateful to him but I had no wish to be a judge. I would not have accepted judgeship in any case but when I came to know that Sir Shadi Lal was inclined to appoint me, I became more firm that I should not become one as the very fact that he was willing to appoint me was an evidence of my not being fit for the judgeship.

Some days later Khan Bahadur Sheikh Din Muhammad came to my office to say that the post of a judge was about to fall vacant against which a Muslim had to be appointed. He had a word with Sir Henery Craik (he then was a member of Punjab's Executive Council) about his own interest. His response was that if Zafrulla was willing to be appointed a judge there was no room for

anyone else to be considered. It was therefore time for me to say clearly what I wanted so that if I was interested in he should not try. I told him that I had no such desire and would be happy if he (Din Mohammad) were to be appointed.

After some time I happened to go to Delhi. There I called on the Viceroy. He said I had been working for four years in connection with the Round Table Conferences and had also worked with him for four months. Thus, he wanted to do something for me before his Viceroyalty ended. I submitted to him all that a man hope for is that Allah Almighty should enable him to earn his livelihood without losing respect. "I am grateful that you thought of me but have no worry about me". He then said: "All right tell me whether you would like to be the Chief Justice of Lahore high court after Sir Shadi Lal's retirement". I submitted to him that was an office of great dignity and responsibility and if I were to be chosen to work in that capacity I would surely have no objection but I wouldn't like to try for it. He said all that I would have to do was to talk to Emerson (Sir Herbert Emerson then was governor of Punjab). I respectfully submitted to him that would be unbecoming of the dignity of that high office and, further, by my own nature, I could not bring myself round to do that.

In those very days I went to call on His Highness Sir Aga Khan who come to Delhi. As I entered his house he stepped forward to embrace me and said in great joy: "I am proud of you, I am extremely proud of you". I could only thank him. He went on: "I was staying with the Viceroy for three days. You know, I am on very informal terms with him. In the course of our conversation he mentioned that he had been serving in India for 14 years. Then naming you he said he had come across just one man who had served the country for years but never asked for any favour, and recently, he said, as he wanted to do something for him all that he had to say was 'what can you do for me'". I submitted to the Aga Khan that I had not put it that way, he on his own had.

Appointment of Sir Douglas Young as Chief Justice of Punjab High Court:Sir Shadi Lal relinquished the office of the chief justice in May 1934 and

Sir Douglas Young from Allahabad High Court was appointed in his place. Sir Shadi Lal invited the members of the bar to the court room of the first bench to introduce them to the new chief justice. When Sir Douglas Young shook hands with me he said "Chaudhry Sahib, I hope we meet soon". I said I would come over whenever he so desired. I wondered how he addressed me as "Chaudhry Sahib" instead of my name as he had been in Lahore only for a day and had not known me earlier. The next day I received his message to see him on Sunday. On Sunday just as I was getting into my car to go to see the chief Justice I received a telephone call of Sardar Sikandar Hayat Khan from Simla to say that he was going on leave and he had proposed the name of Sir Miles Irving to work in his place but the governor, Sir Herbert Morrison, had told him to ask me first and if I was agreeable he would consider my appointment more appropriate. I told Sardar Sahib that I was planning to go to England and wouldn't be here during that period. He said he would talk to me at Simla next week about it then.

I went over to see the Chief Justice. As we sat down he said: "Chaudhry Sahib why don't you join me on the bench"? I said I did not want to be a judge. He then asked me about my summer programme. I told him I might be going to England. He said he too would be in England for the vacations, we must meet there but I must commit that if I ever changed my mind I would tell him without a hesitation and he would send up my name for the first permanent vacancy. He always treated me with great affection. Even in the course of court proceedings he would address me as "Chaudhry Sahib".

He would sit mostly on criminal bench but showed great interest in bankruptcies. Before his arrival it was customary for the counsels in criminal, especially murder, appeals to read out the full record punctuating it occasionally with a critical comment on the prosecution evidence and winding up with brief arguments. Reply by the state counsel followed. He changed that procedure observing that "my colleagues on the bench and I come to the court after going through the record hence it wouldn't be necessary to read it out. The counsels should just refer to that part of the record that supported their case and

concentrate on the arguments. That way, out of the first six appeals that were heard only two were upheld.

A worried Chaudhry Fazal Dad narrated this position to me adding that it had caused quite a consternation in the bar room, the apprehension being that the attitude of the judges would be stern. I told him I had no objection to the procedure. It was for the counsels to prepare well and convince the judges by their arguments, little was gained by reading of the record.

I argued the whole day long in the appeal of Chaudhry Pohap Singh in the court of Mr. Justice Hilton. The case was long and expected to last three more days. Pohap Singh was my class-fellow in Government College and later was a member of the Punjab Council. He was a colleague and friend of Sir Chhotu Ram and vice president of the cooperative association of his area. In that capacity he faced an embezzlement charge in which political rivalries played a part. He was sentenced to five years' rigorous imprisonment.

In this background his appeal caused me great worry. It so happened that the next day Justice Hilton was to inspect the courts at Lahore. The hearing of the appeal was put off but on that day my another appeal was fixed at No.5 in the first bench. The court was to rise at 3:30. My appeal came up at 3:10. The two accused in my case had been sentenced to death in the sessions trial. Since it was difficult to conclude the case in that short a time, an adjournment could be sought as the next morning the appeal of Chaudhry Pohap Singh was fixed to be heard. I was somewhat hesitant in applying for adjournment as it was my first case in before Chief Justice Young. Though my excuse that I was to continue my arguments in another appeal was plausible, nevertheless I thought the chief justice should not think that I had not prepared my arguments. It also bothered me that Chaudhry Fazal Dad would think that while only a day earlier he had heard me say that the lawyers should come fully prepared to conclude their arguments in a short time but the very next day I was seeking adjournment.

My first case in Sir Dongla Young's Court: I decided to put myself to test in presenting my case conforming to the standards set by the chief justice. After starting the facts briefly, I submitted that in the case of one petitioner there was room for a reasonable doubt whether he had taken part in the crime or not. According to one witness he had held the accused to enable the other easily to attack him (quoted the page and line of the record) while the second witness deposed that he was trying to hold the two apart (quoted the page and line of the record). Hence the charge was not proved against him and he should get the benefit of doubt. About the second petitioner my submission was that as the accused and the deceased were having meals at a bread-baker's shop, a quarrel arose and they grappled with each other. One of them got hold of whatever he could lay his hand on and attacked the other causing his death. In this circumstance the offence did not amount to deliberate murder. My arguments took no more than ten minutes. After hearing the state counsel the court acquitted the first accused giving him the benefit of doubt and sentenced the second to ten years' imprisonment for his intention was not to commit murder. The case ended on the dot at quarter past three. Thus, the next morning I was able to continue my arguments in the appeal of Pohap Singh and he was acquitted after a hearing spread over four days.

On June 2 I went to Simla. There Mian Fazle Hussain asked me whether Sardar Sikandar Hayat had told me that he was going on leave and he wanted me to work in his place. Indeed he had, I replied, and also that he had proposed the name of Sir Miles Irving but the governor had desired that he should first ask me whether I was willing to act in his place. I had told him that I wouldn't be in the country. Mian Sahib told me to see Sardar Sikandar Hayat that very day to inform him that I was ready to work in his place. It was always his effort, he said, that whenever an opportunity arose an Indian should replace an Englishman. And here was an Indian wanting to hand over an Indian's post to an Englishman.

I rang up Sardar Sikandar Hayat Khan to inform him that I had reached Simla and would call on him in the afternoon. I was on the way to his house when I came across Sir Miles Irving. After routine greetings, he said he had heard that I was going to England. Such indeed was my plan, I replied. "You are lucky", he said, "my wife and I were also going on leave and had booked the passage but I have been told to stay back to work at Sir Sikandar's post. My wife had already left for Bombay and now she will have to travel alone".

I went on to see Sardar Sikandar Hayat and, spent an hour with him at breakfast. He talked about his leave and some other matters but nothing about anyone officiating in his place, nor I mentioned to him my conversation on that point with Sir Miles Irving. By the time I came back, Sir Miles had already been appointed.

Journey to England in the interest of Muslims: The next day in a meeting with Sir Fazle Hussain it was decided that I should go to England at my own expense and try, through informal contacts, that the interests of Muslims were not overlooked in the deliberations of the joint committee of the White Paper. If we were not to do that and the joint committee were to make any recommendation against the interests of the Muslims, an impression might be created that as long as travel was at the government's expense everyone was keen to be a part of the delegation. But no one bothered about the joint committee once the visits by official delegations came to an end. Mian Sahib went on to say that frequent visits to England in connection with the Round Table Conferences must have hurt my law practice a great deal and sending me again, and that too at my own expense, amounted to imposing an unfair burden on me but it could not be helped. My submission to him was not at all to worry about my legal practice which, by the grace of God, had been yielding greater and not less income despite absence abroad for a better part of the year. The expenses wouldn't be much of a burden either for my lifestyle was frugal. In those very days my nine appeals were to come up for hearing in the high court. On my application the

chief justice arranged for the hearing of the appeals before my departure for England.

First air journey from Delhi to London:My first journey from London to Amsterdam was ten years ago in 1924. In 1933 when on the way to London to participate in the sessions of the joint committee of the Parliament, at Marseilles some companions decided to take a plane to London. I joined them. The aircraft then were much smaller than they are today with tight seating for 18 to 20 passengers. Leaving Marseilles, after half an hour's halt at Paris, we landed at London's Croydon airport. Now, that in 1934 I planned to travel from Delhi to London in the intervening period the Indian Transcontinental Airways had come into being in India with most shares held by the Imperial Airways, the forerunner of the BOAC.

The Imperial Airways had the right to nominate two directors on the board of the Indian Airways one of whom necessarily had to be an Indian. I was nominated. Mr. Pin Harn was the managing director. When I mentioned my intention to go by air to England, he said he would arrange for me to travel as director of the airline. I left Delhi for Karachi by the Transcontinental Airways. While landing at Jodhpur for a brief halt, the lower part of the plane was damaged because of a pilot error. It had to be repaired before it could fly on to Karachi. The Jodhpur airport had a comfortable hotel for a might's stay. The next day the Imperial Airways' plane that was to take us from Karachi to Cairo came to Jodhpur. It needed fuel but the airport had no arrangement for refueling the aircraft. A wooden ladder had to be set up for the laburers to climb up carrying cans to pour fuel into the tank of the aircraft. It took two or two and a half hour to fill. Leaving at two in the afternoon we reached Karachi in the evening. We were taken to Clarney hotel (since renamed as Palace hotel) to rest and left Karachi two hours past midnight.

Stopping at Jiwani, Gwadar, Sharja and Bahrain we were expecting to reach Basra by dinner time when the pilot announced that the strong opposing

winds were making it difficult to head for Basra and, instead, he was landing on an emergency strip at Kuwait over which we were flying. The plane landed at Kuwait. A nephew of Jam Sahib of Nawanagar and I were the only two Indian passengers, all others were Europeans.

Kuwait in those days was a walled village with no amenities of any kind. A man named Mohammad Alghanim took me and Kunwar Sahib of Nawanagar as guests to his house while the other passengers repaired for the lounge. Ghanim's house was a two-storeyed house as middle-class homes are in our country. In a small courtyard it had a well and adjacent to it a wash room. On the upper floor was an airy lounge where we were put up. The floor was well carpeted and to a side was a large bedstead. I was tired but Kunwar Sahib was totally fatigued. He suffered from tuberculosis and was going to Europe for treatment. As Ghanim ordered the meals to be cooked for us, he also informed neighbours that he had two Indian guests. Then started pouring in a steady stream. For Kunwar Sahib it was difficult to keep his eyes open but despite my insistence that he should lie down till dinner is served he did not agree to violate the norms of hospitality. He said he wasn't bothered about the meals as for him only sleep could act as food but it was his duty to stay awake for the people who were calling to honour our host even though he could not make out what they said and had problem even in keeping his eyes open. As the visits came to an end, we ate in haste and prepared to retire.

In the morning, refreshed by cold shower, we were on our way before sunrise. At Basra while we had breakfast the European passengers had the first opportunity to wash themselves. We reached Basra before noon in intense heat. At the airport I gulped down in one go six glasses of fresh, chilled lemonade without quenching thirst. We had lunch in the middle of the desert at Rutba. Landing at a strip by the side of an old pipeline, the plane got some more fuel. After sunset we reached Giza where cool sea breeze provided some relief for the first time. We reached Cairo before midnight for a comfortable sleep though it was quite hot. In the morning we left by a flying boat. Stopping at Crete and

Athens we reached in Burnaendzi in the evening. The journey was comfortable and over the Greek islands the scenery was captivating.

As the Imperial Airways was not allowed to fly over Italy, the journey from Burnaendzi to Paris had to be by train in which sleeping berths were reserved for the passengers while the luggage was transferred direct from the flying boat to the train. The passengers were taken to a hotel to be fed and dispatched to the train. In the morning on third day as the train arrived in Paris the passengers were once again taken to the hotel for breakfast before going to the airport to board the Imperial Airways flight. It so happened that Lord and Lady Wellington who were going to England on leave and had been holidaying for two weeks in south of France were also taking a flight to London on the same day. In the aircraft a special cabin was set aside for them. They invited me into the cabin. His son and his wife Lord and Lady Retendon were also traveling with them.

Meeting with the Minister for India at Croydon Airport:Present at the Croydon airport to receive Lord and Lady Wellington were the Minister for India, Sir Samul Hoar, and members of his advisery council. It was a lucky coincidence for me to have come across the Minister for India right at the airport. He was greatly interested in air transportation as he had also been minister for civil aviation.

After greeting the Viceroy and Lady Wellington he asked me whether it was my first journey by air. I said it was indeed from India to here in England. He wanted to know my impression. I said should I speak frankly and truly. "That is indeed what I want", he said.

I then narrated: "Flying out of Delhi stretching below was Rajputana desert. From Karachi to Basra on one side was a chain of hills and burning sand dunes on the other. Between Basra and Baghdad greenery was to be seen here and there along the river bank. From Baghdad to Giza is the Arabian desert. From Cairo as one flies over Greek Islands landscape turns green. The train in

Italy races thorough an unbroken chain of orchards. The domes and spires of churches in cities interspersing human habitations impart luster to the skyline. France is greener than Italy and south England even greener than France. The feeling that overwhelmed me was that in the worldly life, bestowed by nature, you people have got abundant share and we very little. But instead of reaping full benefit of all the amenities and goods by living in peace and harmony you people live in fear of war all the time. As if the havoc played by First World War was not enough, you are once again ready to wage another war".

He interrupted to ask me whether there would be another war. I said: "Surely there will be one. Hitler in his book *Mein Kampf* has already set out his full plan but you people rate him no better than a lunatic. I visualise Europe like a boat that sails at sunset on serene river waters while the inebriated passengers on its deck dance to the tune of music unawares of the fall ahead where the boat would sink to turn the fun and gaiety into wails of mourning".

Sir Samuel Hoar observed that my thoughts were frightening to the extreme but he expected Europe would succeed in maintaining peace. I said, God willing it may so happen but I had given my own impression. He asked me for how long I would stay. No less than three or four months, I replied, as my intention was to observe which way the proceedings of the Joint Committee were heading and whether I could be of some service to my people and the country. He said I had done well to have come and asked me to see him next morning in India Office to talk about it further. It was Allah Almighty's special favour that I came across the Minister for India as I arrived. The door to the efforts that I were to make to achieve the purpose for which I had come, thus, opened right at the airport.

Informal meetings with members of the joint committee of the houses of parliament: The next day I called on the Minister for India. While expressing satisfaction on my presence in England, he briefly reviewed the work done by the joint committee and asked me to see him once in a week so that he could tell me

about the members on whom I should be calling. His own guess was that the joint committee in its report would not disagree with the contents of the White Paper though some among its members off and on do say they were not satisfied with some of the proposals. My meetings with them, he said, to explain my own impressions and viewpoint would give them some assurance. I set on my work on those lines. Whoever the Minister for India recommended, I saw him to exchange views on topics of interest to them and later report the gist of the discussion to him.

Discussion with Lord Zetland on communal representation: The Minister for India told me that Lord Zetland was not comfortable with the decision on communal representation as, he thought, it operated to the disadvantage of Hindus of Bengal. I called on Lord Zetland to discuss the subject at length. Time and again he would say that the representation of Hindus in Bengal had been reduced by more than 20 per cent and was not in proportion of their population. The Muslims wherever they were in majority, he said, were given representation more than their numbers. He did not object to that but the Hindus of Bengal should have been similarly treated. "If not more, they should have been given representation in proportion to their population – giving them less than that would be sheer injustice".

I tried hard to persuade him also to look at the other side of the picture where 54 per cent Muslims had been given only 28 per cent representation. Such a wide gap can be bridged only by a radical change. If Hindus were to be represented in proportion to their population, the representation proposed for the Muslims, which despite their majority has been fixed at 28 per cent, would fall further. How it could ever be justified that the representation of the majority should be less than half of their number. The basic cause of this anomaly was 10 per cent representation given to the Europeans though they constitute less than one per cent of the population. Because of their getting 10 per cent, the Muslim majority would become a minority in the electorate and Hindus, too, would get

less representation than their numbers. If the representation of the Europeans is brought down in proportion to their population, the representation of Muslims would increase even though it may still not be in proportion to their population but Hindus would get representation in proportion to their population – possibly a bit more.

But Lord Zetland was not to be satisfied. At last he said smilingly "Zafrulla, you cannot convince me nor I can convince you. You cannot satisfy me but I can satisfy you. I have pressed the committee members hard that anomaly in the representation of Hindus needs to be corrected but they are not inclined to agree with me. So you need not worry much about it".

Conversation with Lord Derby: The Minister for India told me that Lord Derby was not happy on the transfer of the departments of law and public order to ministers. I suggested to His Highness Sir Aga Khan that he should invite Lord Derby (with whom he was on friendly terms) to lunch and also summon me. At the lunch he explained the reasons for his dissatisfaction. I put across the good and bad aspects of the proposal at great length. Finally, he said that though uptil then he had been opposing the proposal, he promised, henceforth he would not. I said that wasn't enough. "What more do you want", he asked. I said I wanted him to support the proposal and concede that he was satisfied that there was no danger in transferring the department of law and public order to ministers. He chuckled and turned to Sir Aga Khan to say: "Zafrulla seems to be a tough bargainer". Then he turned to me and said: "I will do as you say".

Discussion with Lord Harding on the separation of Sind from Bombay: One day the Minister for India mentioned that Lord Harding was not happy on the separation of Sind from Bombay. I went over to see him. He received me with great courtesy. As the subject came up he said: "Janab Zafrulla Sahib (that was how he addressed the Indians even while talking in English) I left India long ago. When I was there Sind was a very backward area. What worries

me is that separated from Bombay it would not be able to meet its expenses and would not be able fulfil its responsibilities as a province. I trust you, tell me do you feel confident".

I said though I had not particularly studied the question, Sind has large tracts of arable land lying fallow for shortage of water. Of late the irrigation projects are fast coming up, big barrages have been constructed – some are operating and others are close to it. The prospects of further development were also bright. I entertained no doubts about the finances of Sind. He said: "That is enough. My mind is at rest. I trust your opinion".

The offer of membership by the Minister for India on the retirement of Mian Sir Fazle Hussain: In mid-July the Minister for India asked me about my future plans. I said the committee will soon adjourn for some weeks. And as he goes to Switzerland, I intended to go to Norway on an excursion. I would come back to London when the committee resumes its deliberations and, hopefully, stay on till the end of October.

He said he did not mean my programme in England: "Two years ago", he went on, "you had officiated in place of Sir Fazle Hussain. His term ends next April. Would you be prepared to shoulder the responsibility of public service once again". I said if he considered me equal to the task it would be an honour for me. He said he had already discussed it with the Viceroy and we had agreed that I should succeed Sir Fazle Hussain next year.

I said I was grateful to both but would like them to consider my two or three submissions before making a final decision. "First, so far the Muslim members of the Viceroy's council have been Sir Syed Ali Imam from Bihar, Mian Sir Muhammad Shafi from Punjab, Sir Mohammad Habibullah from Madras and Mian Sir Fazle Hussain also from Punjab. If yet again the appointment is made from Punjab, Muslims from Bengal, UP and Bombay will have a grievance that why one from among them was not selected".

Minister for India: We are not bound by any rule of selection on the basis of province. We choose whoever we consider suitable from anywhere. And then you have been active in defending the rights of Muslims of India as a whole.

Zafrulla Khan: I am grateful for your kind thoughts but would still request you to consider the suitability of two persons – Nawab Chhatri and Sir Sikandar Hayat Khan. Both of them have held high positions in their own provinces and have also acted as governors. Nawab Sahib has also worked in the absence of Sir Fazle Hussain.

Minister for India: Zafrulla, I know both gentlemen and also value them. Nawab Chhatri has been attending the Round Table Conferences and Sir Sikandar Hayat Khan was in London recently. Do you think selecting either of the two would be appropriate?

Zafrulla Khan: Sir, this question should not be put to me, it is for you to ponder over.

Minister for India: I have told you about my selection already, are you willing?

Zafrulla Khan: I have already given my consent. But I have yet another submission to make. And that is I belong to the Ahmadiyya community. Other Muslims disagree with some of its belief. In 1934 when I was appointed to officiate in place of Sir Fazle Hussain even at that time a section of Muslims had objected. The same objection will arise again. If they do not even consider me a Muslim, my appointment would not be appropriate. You will have to think over it.

Minister for India: Considering the services you have rendered to protect the rights of Muslims, it will have to be a very short sighted man who would object to your appointment. If only such like thoughts are a hindrance, may I assume you are otherwise wholly agreeable?

Zafrulla Khan: As for my willingness, I had said at the very outset that it would be an honour for me and I am grateful to you, but yet another submission that I must make is that the decision should not be announced right now. I practice law and in doing that I feel compelled to place my viewpoint before the court. Presently, the judges think that is what I always do. After my appointment is announced, may be some among the judges feel that it is because of my impending appointment. Such a misunderstanding would be a source of embarrassment for me.

Minister for India: Ordinarily, how long before the assumption of charge announcement is made?

Zafrulla Khan: Two or three months

Minister for India: I will convey your wish to the Viceroy. So we will meet again at the end of September. I hope meanwhile, your time is well spent.

Offer of the membership of the council from Lord Wellington, Viceroy of India: All this while speculation had started in India about the successor of Mian Sir Fazle Hussain and some voices raised against my appointment as well. My meeting with the Viceroy took place a few days after my return. During the conversation he said he expected a favour for me. "My term," the Viceroy said, "would come to an end in less than two years. My successor, howsoever able he might be, his experience of India would not match mine, therefore, leaving charge I would like to leave behind a council which my successor can fully trust. You know Sir Fazle Hussain's tenure would end next year. It is my effort to select the best from among Muslims to succeed him.

Zafrulla Khan: It is understandable, but you're saying it has saddened me a bit.

Lord Wellington: But why?

Zafrulla Khan: Because I had an occasion to work with you and my guess was that you were satisfied with my performance. In this situation, I had some expectation that you would also bear me in mind for a future appointment.

Lord Wellington: In fact I was referring to you.

Zafrulla Khan: But the word you used does not apply to me.

Lord Wellington: You are very naughty. I know you mint a lot of money, but are you willing to fulfil my wish?

Zafrulla Khan: I really do not earn much. Allah Almighty makes available to me more than my needs. I am highly grateful for your trust and good opinion and will be glad to serve in the stated capacity.

Although the Minister for India had clearly talked to me about the matter, I did not consider it appropriate to mention it to the Viceroy. When he broached the subject I could make out what his purpose was. But when he expressed his opinion in words that embarrassed me, I thought to myself that he should not be carrying the impression as if I considered myself worthy of his compliment. Lord Wellington was a highly civilized man who treated every man with great civility and kindness.

When a section of Indian Muslims raised a hue and cry that Zafrulla Khan succeeding Sir Fazle Hussain would be wholly unacceptable, Syed Inamullah Shah wrote to me in some anxiety: "We are greatly worried here but you haven't written even a word that could comfort us or assuage our anxiety. At the moment the Viceroy is in England and you would be seeing him and the Minister for India as well. You must tell us which way the wind is blowing".

I wrote back to him "not to worry, only to beseech Allah that in His infinite. He ordains that which is beneficial for all of us and also earns His favour. It He wishes me to serve in that capacity, He would also open the way and no opposition would be able to block it. And if He wants me to seek, His favour through some other means, I would gladly submit. We should be content

in all circumstances but, imagine, the humiliation of the opponents if their efforts were to be frustrated. Surely Allah is the Provider and has power over everything.

Opposition from some quarters to my appointment in the Viceroy's Council: On October 30, Minister for India told me that he had received a number of telegrams and letters opposing my appointment but he had instructed his secretary to throw them in trash can. He wrote: "You were right in saying that some elements would greatly oppose your appointment. What kind of people they are who do not realise what is in their interest! The Viceroy wants to know how would you feel if your appointment were to be announced straightway.

I said I would have no objection if the Viceroy so proposed. He summoned his secretary and told him to inform the Viceroy that Zafrulla had agreed and his appointment should be notified during the next week.

Addressing me he further said: "The Viceroy and I both desire that instead of Sir Fazle Hussain's portfolio you should take over Sir Joseph Bhore's portfolio consisting of important departments of Commerce and Railways" I thanked him but submitted that both departments will be totally new for me. In both, and more particularly in commerce, I would be facing complex issues. "That's true, hard work would be needed", he said, "but you are not the one who shirks hard work. I will issue instructions that all communications issuing from Delhi during your stay in London are shown to you and when you return to India the Viceroy would also have issued similar instructions. Thus you will not be wholly unfamiliar with the issues relating to these two departments when you assume charge. And wait I have another thing to say. Sir Fazle Hussain's term ends two or three weeks before Sir Joseph Bhore's. But it would be so arranged that first you take over charge from Sir Fazle Hussain and later from Sir Joseph when his term ends".

I said that should not be necessary and I would take over charge only when Sir Joseph's term ends. He said in such an event the gentleman taking over

from Sir Fazle Hussain would rank senior to me. To that my reply was if such is the rule, I would have no objection.

Kunwar Sir Jigdish Singh's appointment in place of Sir Mian Fazle Hussain:On the retirement of Sir Fazle Hussain, Sir Jagdish Singh was appointed to succeed him. He belonged to the UP and was a senior officer of the Indian Civil Service and also a member of the governor's executive council. I had not met him uptil then. As we met he told me that until his new appointment he had not been to Simla, hence the establishment of the central government and its working would be wholly unfamiliar to him. Later, unhesitatingly, he would seek my advice and would not form an opinion without our mutual consultation. My relations with him throughout remained friendly and never a difference arose between us which was a source of strength to both. The relations between our families also became friendly and grew closer and stronger.

Return from England:I returned from London following the same route that I had taken going. Flying to Paris, I boarded a train for Burundi to get there on the third day. While the baggage was dispatched from the railway station to the airport, the passengers were taken to a hotel. After breakfast as the passengers waited to be transported to the flying boat, we saw our baggage so soaked that water dripped from the suitcases. We were told that the sailing boat that took the baggage to the flying boat collided with another boat and the baggage fell into water. It was hauled up stinking with dirty water of the port. Nothing could be done but to spread out the contents of the boxes in the heated rooms of the hotel. That was of no help.

The flying boat that was to leave at nine in the morning left at five in the evening. By then the weather had turned for the worse. Soon after take off the boat was caught in a storm. When the jolts became unbearable, I left my seat to lie down on the floor without a fuss. The weather conditions were unchanged till arrival in Athens. There we spent the right in a hotel that was very comfortable

but such was the state of our baggage that it was difficult to steal a nap. At daybreak the weather cleared up but the condition of the baggage worsened. Before reaching Karachi I had made up my mind to take a train to Lahore instead of going by air to Delhi as the clothes I wore were unchanged since London were too dirty for Delhi and the clothes in the suitcase stank intolerably.

***World-wide notorious Rajpal's impudence and his fateful end*:** For some years a section of the people of Punjab had been viewing the Ahmadiyya community with suspicion. It all started in 1927 when a highly impudent man bereft of all humanity named Rajpal published an extremely audacious booklet titled "Rangila Rasul" (promiscuous Messenger) and thus contrived to ruin his life in this world and in the hereafter. The booklet caused extreme anguish to the Muslims. The government prosecuted the author and a court sentenced him to a prison term which was maintained in appeal. But on revision in the high court, Justice Dilip Singh ruled that defamation of the Holy Prophet did not constitute an offence under the law and acquitted Rajpal grievously hurting the sentiments of the Muslims. He was released only to meet his end at the hands of a Muslim scholar blinded by rage.

Ahmadiyya Imam's appeal for yearly meetings on the life of the Holy Prophet: During that spell of anguish, Imam of the Ahmadiyya community counselled the Muslims that, to an extent, they could also be held responsible for Rajpal's reprehensible deed for they had been neglecting their foremost duty to present a true and complete picture of the life and mission of the Holy Prophet. He inaugurated a series of meetings across the length and breadth of the country yielding good results and so, hopefully, would in the times to come.

Amendment to the Indian Penal Code making the defamation of the founders of religion a cognizable offence:The head of the Ahmadiyya community also started a campaign that resulted in an amendment to the law

which specifically made defamation of the founders of religions, by words written or spoken, a cognizable offence.

Case by the Punjab High Court against the owner and publisher of "Muslim Outlook" for contempt of court:In those very days the daily "Muslim Outlook" published from Lahore carried an editorial bitterly criticising the judgment of Justice Dilip Singh. The owner of the paper, Maulvi Nurul Haq and printer Syed Dilawar Shah (an Ahmadi) received a contempt of court notice. That sent the Muslim lawyers huddling together in the chamber of Mian Sir Mohammad Shafi. In reply to the court notice the respondents contended that the editorial in question did not constitute contempt of court and contents of the editorial did not exceed the bounds of reasonable criticism and that the stridency of criticism in itself did not amount to contempt. Nevertheless, if the court holds that it does, the respondents would gladly submit to the punishment awarded but in no manner would seek pardon or petition for mercy.

The question then arose as to who would be the counsel for the respondents. All eyes looked up to Sir Mohammad Shafi but he begged to be excused for he must leave for Solen the same evening where Lady Shafi had suddenly fallen sick. All those present then agreed to request Sheikh Sir Abdul Qadir to appear for the respondent. Sheikh Sahib then took Maulvi Nurul Haq to a side room and, as later disclosed by him, Sir Abdul Qadir had told him that since a decision had already been taken to appoint him as a member of the governor's executive council it would not be appropriate for him to appear in a case in which, on the one hand, the sentiments of the Muslims were raging and, on the other, the contempt of the high court was involved. Coming back to the meeting Maulvi Sahib said he was satisfied that Sheikh Sahib was unable to act as counsel.

My selection to act as counsel for the respondents in the contempt of court case:Mian Sir Mohammad Shafi pointing at me said that in his opinion on

one could shoulder that responsibility better than "my friend Nasrullah Khan" – Mian Sahib would usually address me by the name of my father. Quite a few people in the gathering were miles ahead of me in ability and experience – the men like Mian Abdul Aziz, Maulvi Ghulam Mohiuddin Kasuri, Syed Mohsin Shah, Malik Barkat Ali, Khalifa Shujauddin, Ghulam Rasul Khan, Mian Abdur Rashid, Mian Mohammad Rafi. But at that at that moment, Allah be praised, only my name came to Mian Shafi's mind. Many eyes lifted towards me – may be some out of envy that why that privilege had been denied to them and some out of gratitude for having been spared the ordeal. I submitted that though in the presence of so many seniors. I did not consider myself equal to the task yet, if so directed, it would be my proud privilege to perform this noble duty. The case was to be heard the very next day by a bench of five judges. There was not much time to prepare but ample to beseech Allah's help.

Hearing of the contempt case in the high court: Before the hearing commenced, the court room was packed to capacity among them quite a few lawyers. The first objection I raised was that the court was not competent to hear the case. That a court can hand out punishment for its own attempt is peculiar to the British judicial systems but even in Britain this power is restricted to the "courts of record" and the way this term is interpreted in Britain, Lahore high court was not a court of record. Two hours went into debating this very point.

I tried to prove that the editorial in question did not exceed the criticism and the criticism howsoever strident could not be construed as contempt. In courts of original jurisdiction harsh words are often used yet the judges do not hold the lawyers in contempt. Finally, I submitted that "if their lordships hold that the editorial in question indeed amounts to contempt, the respondent would accept full responsibility as the contempt of a high court judge became inevitable in an effort to defend the honour of the Holy Prophet of Islam".

As I concluded arguments, Maulana Zafar Ali Khan rose from the public enclosure to reach me. Planting a kiss on my humble hand he said: "Today you

have blackened the faces of all those who say an able lawyer is hard to find among the Muslims".

The two servants of the Messenger of Allah were given an opportunity to spend six months in prison to revel in His memory and pray to Allah – Lucky are the men and lucky is the prison.

Impudence of "Vartinan" Amritsar: The mischief of Lahore had hardly died down when another raised its head in Amritsar. A magazine called "Vartinan" published a defamatory package against the Holy Prophet. Within days a poster written by the Imam of the Ahmadiyya community titled "Wouldn't those who lay claim to the love of the Holy Prophet wake from their slumber even now"? was seen on the walls of Lahore, Amritsar and many other towns. Instantly, Sec 144 was imposed banning the assembly of five or more persons. The printing and publication of all posters or journals without the previous permission of the deputy commissioner was also prohibited. In short, the public peace was so endangered as to compel the government to come into motion and file a complaint against the printer and publisher of "Vartinan" before a bench of the high court. Mian Sir Mohammad Shafi appeared for the state. The charge against the accused was proved and they were sentenced to a term in prison.

A heated exchange with Mr. Ogilvy, deputy commissioner, Lahore:In those very days Ahmadiyya Imam happened to visit Lahore and need was felt for the publication of a brief pamphlet. Khan Zulfiqar Ali Khan and myself were told to see the deputy commissioner to get permission. Mr. Ogilvy, as if was waiting to burst out said: "Where was the need for Mirza Sahib (Ahmadiyya Imam) to publish so inflammable a poster against "Vartinan" when the government on its own was likely to proceed against its printer and publisher? I said "just as you did against Rajpal?" "Were it up to me I would surely have sent Rajpal behind the bars", was his retort. "But you couldn't", I said. He then asked: "Who is to be held responsible for pasting the poster relating to Vartinan

on the Lahore walls? I submitted: "Though it wasn't my good fortune to do so but as I am Emir of Lahore's Ahmadiyya community, in that capacity I am surely accountable?" He said "who is responsible for maintaining law and order? "District magistrate", I replied. "What if riot had broken out in the city?"

I said "It would have been for you to quell it while the duty of the Ahmadiyya Imam is to safeguard the integrity of his faith. To discharge that duty he must do whatever he thinks is appropriate but remaining within the bounds of law. If he violates the law, you could take action against him"

Ogilvy: "Well, would you break the law if you were so to be ordered by the Imam? I said: "The question is superfluous for Islam does not permit violation of law. Since the Imam is a servant of faith and bound by its injunctions, he would not have ever given such an order giving rise to the situation you imagine."

Ogilvy: "What if ever such a situation arises?" I submitted: "A redundant question repeated doesn't not become reasonable but if you insist on an answer I cannot refuse. I am sworn to obey any good order given by the Imam. I would always stand by that pledge. Were you waiting for me to say that much?"

Ogilvy said "the answer is very interesting. I feel duty-bound to convey it to the governor. I said: "Why delay doing your duty. The telephone is lying in front of you, pick it up and inform the governor about my very interesting answer?"

At this point the deputy commissioner changed the topic and asked about the purpose of our call. I put forth the manuscript of the pamphlet and said it was for his approval to print and publish it. He went through the manuscript and sought clarification of some points and observed he saw nothing objectionable and signed the permission order. I thanked him. As everybody stood up, the deputy commissioner also stood up, shook my hand and said: "Chaudhary Sahib, what I like about you is that you say plainly whatever is in your mind."

Later, many occasions arose to deal with him. He always treated me with great civility. In course of time our relationship became very friendly and he

would show great respect for the Imam of the community. In 1934 he was Home Secretary of Punjab when some problem arose between us and the governor on the Ahrar conference at Qadian. Later when I came across him somewhere, he referred to that episode on his own and expressed regrets that the status of the Imam was not kept in view in handling it. I was taken aback by what he had to say for in the background of our conversation the only inference that could be drawn was that the governor's conduct was unbecoming of his office.

Beginning of the struggle for fundamental rights in Kashmir state: The Kashmir region is without an equal for its charming scenery and many other attractions and its inhabitants despite their intellectual and artistic qualities have long been subjected to brutalities of all kinds. Over the last 125 years, in particular, the life for the them has been made unbearable. First, the mills of Dogra dynasty crushed them to powder and now the juggernaut of Indian colonialism is determined to break whatever remains of their bones to extinguish their identity. Since 1930 the oppressed people of Kashmir have been waging a war for their fundamental rights. When their first cry for human rights went up, the Dogra government responded with bullets which the spirited youth took on their chests – not their backs.

Establishment of All-Indian Kashmir Committee:The Ahmadiyya Imam then went to Simla and invited the influential sons of Kashmir or their ancestors who had migrated from Kashmir to settle down in Punjab to gather there to focus on conditions prevalent there and the need for united action. The meeting led to the formation of All-India Kashmir Committee and, on the insistence of the participants, he agreed to head it. The committee got down to the task of backing the struggle of the people of Kashmir for independence.

Glancy Committee and its report:As a consequence, the Viceroy nominated Sir Reignald Glancy to suggest reforms. On his report some preliminary reforms were indeed introduced. On the direction of the president of

the committee I saw Sir Reignald a number of times, called on the Viceroy and also prepared a comment on the report for submission to him. To follow up certain appeals, I appeared in the court of the chief justice of Jammu and Kashmir at Jammu. Sir Reignald Ghancy told me that out of the matters on which he had placed special emphasis, on two the Maharaja was not inclined to consider any reform at all and would rather abdicate than agree. One was life imprisonment for slaughtering a cow and, second, any law that deprived Hindu subjects of the state of his/her share in the joint family property if he/she embraced Islam. The only, and minor, change that could be made was reduction in the sentence for cow slaughter from life to ten years.

Opposition to Ahmadiyya Community by a section of the Punjab government out of sheer misunderstanding: The public meetings on the life of the Holy Prophet started after the publication of "Ranglia Rasul" and Vertinan's poster, an intense but orderly campaign launched in India and Britain for enacting a law to protect the honour of the founders of all religions; and formation of the All-Indian Kashmir Committee to safeguard the basic rights of the Kashmiris combined to create an impression among some officials of the Punjab government as if Ahmadiyya community had started meddling in politics. They were also wary of the growing strength of the community's own administration more particularly the institution of Qaza (justice) that settled private differences among Ahmadis. The officials got the impression as if the community was adjudicating in matters criminal and awarding punishment which lay in the domain of the government.

Such a suspicion was wholly wrong as Qaza had no concern with criminal offences. It mediated in matters strictly of civil nature and enforced its finding through advice, persuasion and moral pressure. All that conformed to the declared policy of the government. A particular section in the government, wary of the success of the system, also tended to view the departments of the central organisation of the community as a "government within the government". Instead

of looking it as an arrangement conducive to harmony and discipline worth emulating, they took it as a rival of the government and a threat to its authority.

Sir Herbert Emerson, Governor of Punjab and Ahmadiyya Community:Sir Herbert Emerson was an able ICS officer but mistakenly considered himself a far-sighted and discerning man. Without ascertaing facts he relied on confidential official reports and propaganada of the opponents of the community, more particularly of the Ahrar. He came to Punjab on promotion from Home Secretary with a preconceived notion that the subjects of the province belonged to two segments – one obeying the government and the other opposing it. His proposal to weaken the opponents was to create rift in their ranks. He viewed the Ahmadiyya community with suspicion because of its beliefs, unity, organisation and world-wide missionary activities. Soon he found an opportunity to "discipline" the community.

Ahrar conference in Qadian: The Ahrar party notorious for creating unrest and disturbances approached the government for permission to hold a proselytizing conference in Qadian. The Ahmadiyya community plainly conveyed it to the government that the purpose of the conference was no other than staging a riot in Qadian. Nine-tenth of the population of the town was Ahmadi and majority in the remaining one-tenth was non-Muslim. The Ahmadis and non-Muslims would not attend the conference and non-Ahmadi elements did not need the proselytism of the Ahrar. In this situation, the Ahrar conference would be nothing more than inflammatory speeches against Ahmadis. Paying no heed to these submissions, the government allowed the conference to be held. Going by the previous experience the community knew that the Ahrar speakers would try their utmost to provoke Ahmadis.

In Qadian there was no official machinery for maintaining law and order nor a need for it was felt in the normal circumstances. In the face of the impending threat the communities around Qadian were advised, as always, to

send some men for law and order duty during the conference. The deputy commissioner directed that no one should be called from outside. The community's reply was that if the government took up the law and order duty, it would make no arrangements of its own. The deputy commissioner said that no threat to public order was apprehended and the government did not consider it necessary to make any special arrangement.

On the report of the deputy commissioner the government issued a notice to the Ahmadiyya Imam under the Criminal Law (Amendment) Act directing him to bar the entry of outsiders for the duration of the conference. This notice was arbitrary and inappropriate as the Ahrar despite being the sworn enemies of Ahmadis were permitted to hold conference at Qadian which anyone coming from outside could attend even if he was a mischief-maker but the members of the Ahmadiyya community, whose headquarter Qadian was, were not permitted to come. Further, the notice was not addressed to the incharge of public affairs who had sought the permission but to the Imam of the community betraying the government's intention to hold him personally accountable.

The Ahrar conference was held but no Ahmadi went near the avenue. Later, the governor himself told me that only the Ahmadis were abused and the community maligned to inflame passions.

Ahmadiyya Imam's severe criticism of the Punjab Government's order in his Friday sermons: After the conference Imam of the community criticised the government's improper actions in his Friday sermons. He had instructed that the intelligence officials coming to take notes should be comfortably seated close to the pulpit. Going through their reports must have upset the governor for the criticism of the government's attitude was very severe. Later, the European superintendent of police told Sheikh Bashir Ahmad, advocate (later a judge of Lahore High Court) that as he went through the text of the sermons he would feel

that the Imam was trapped but the very next sentence gave such a plausible explanation as to leave no room for laying hands on him.

***My meeting with Governor of Punjab at his request*:** Such was the state of affairs in 1935 when on return from London I went to see the Imam at Qadian. Syed Inamullah Shah then asked me whether I would see the governor. I said I had nothing to say to him. But if he were to call me. I would go to hear what he had to say. The following morning Sardar Sikandar Hayat Khan telephoned to tell me that the governor wished to see me at 10 or if that did not suit me, at 4 in the afternoon. As I saw the governor he congratulated me on my appointment and a dialogue followed.

> **Zafrulla Khan:** I had received your congratulating telegram and you must have also received my reply.
>
> **Governor:** Indeed I had, thank you. The Muslims who keep seeing me I do not fail to tell them that to object to your appointment was being very short-sighted.
>
> **Zafrulla Khan:** Thank you, but you need not have bothered. The government appointed whomever it considered proper. That should be the end of the story.
>
> **Governor:** Let us sit in the easy chairs and talk at leisure.

The governor narrated the Qadian episode from his own viewpoint for an hour while I kept staring at the wall. I kept quiet even after he had finished talking, thinking that, surely, he had not called me only to listen to his story and waited for him to say what he wanted me to do. On my continued silence and saying nothing he narrated the same story again but shorter. Concluding he said: "I think Mirza Sahib's grievance is justified to an extent. The Ahrar had misused the government permission. Had I known that they would use the occasion only

to abuse and incite passions, I would never have given the permission to hold the conference."

I said going by their past record the government could have expected noting better. The permission was given but how it happened that while the Ahmadis were barred from coming to their own centre, the trouble makers were not? Having said that much I again fell silent only to listen to his explanation and wait for him to state the purpose for which he had called me. At last he said that the Imam "had given vent enough to his feelings of anguish to close the series of his sermons now." I asked him what could I do. He said if I could speak to the Imam to dispel the mutual misunderstanding it would be a good initiative.

I said "I am amazed on two counts: First, if a notice was imperative it should have been issued to the incharge of public affairs". He said the government recognised no other official of the community but the Imam himself (I could make out that he was hinting at the "government within the government").

I said "you may not recognise but how did you consider it at all justified that while all and sundry were allowed to enter Qadian during the conference the members of the Ahmadiyya community were not. Viewed together, both these aspects constitute an insult to the Imam and the community and I fail to understand why the government adopted such an attitude." The governor observed: "Chaudhary Sahib it is no more than intensity of your sentiments." I said "Indeed it is, but where the honour of men and values whom you hold dearer than your own life are at stake a man of honour cannot but be highly sentimental. And the people who are alien to such sentiments cannot imagine their intensity and with that I seek your permission to leave."

On the third day the governor again called me at 4 pm and enquired whether I had given a thought as to how the tangle could be resolved. I told him that it was his doing and only he could resolve it. He asked whether I could

extend a helping hand. "In what capacity", I asked, "for you recognise no one in the community to act in behalf of the Imam and the honour to represent him has not been conferred in me". The governor then observed "surely, you would be interested in maintaining steady and cordial relations between the community and the government." "I would be", I said, "so long as no misunderstanding is caused that I was acting as a representative of the head of the community. On my own I would do whatever I can".

That assured the governor that I was ready to act at least as a bridge between him and the Imam. In pursuit of that aim I went to Qadian more than once. Once the governor got an opportunity, indirect though it was, of exchanging views with the Imam, he repeatedly acknowledged that the Imam's viewpoint was reasonable for if after his very first meeting he were to stop complaining against the government it could be construed as a realisation on his part that he was mistaken in his assertions or that he had been intimidated into silence. If the government were only to tell me what his mistake was he would not only remain silent but also concede that his viewpoint was wrong and acknowledge it publicly.

If the people were to believe that official intimidation had silenced him, he would be insulting himself. But if the government considered to his viewpoint right he could say that misunderstanding had been removed and it would be purposeless to prolong the controversy. He did not wish to harm the dignity of the government but he had also the dignity of his community to protect.

I put that across to the governor on which he said that the chief secretary would write a letter to the Imam. The contents of the letter were agreed. The governor desired that the letter should not be published. On that the Imam observed: "I am not at all keen that the letter should be published. In fact I would not even like to be mentioned that letter was written to me. But I cannot help but say that since the government had accepted my viewpoint it was not necessary to

press it any further". Finally, the governor observed that it could not remain a secret that the chief secretary had written a letter and the Ahrar would get to know of it just by asking a question, therefore he would not insist that its contents should not be made public.

Thus ended, for the time being, the problem that the Punjab governor himself had created. But, it seems, the malice in his heart was not washed out as campaign by the Ahrar against the Ahmadis continued. So confident where they that in the summer of 1935, a non-Ahmadi resident of Qadian assaulted and injured Mirza Sharif Ahmad with a bamboo stave. The assault was obviously intended to provoke the members of the community to react and thus provide an occasion to the authorities to proceed against them. The Ahmadis foiled the plot by refusing, as always, to take law in their own hands.

Meetings between Punjab Governor and Ahmadiyya Imam: During this period, the Imam was camping at Manali in Kullu area when the governor on his way to Lahore from Simla stopped over at Manali for a few days. Having come to know that the Imam was also staying there the governor invited him to afternoon tea which he accepted. The governor then said that since some misunderstanding had been created, he thought it appropriate directly to discuss the points at issue and he would like him to set out his viewpoint first. The Imam was still speaking when the evening fell. The governor suggested that they should meet when the Imam is next in Lahore. They met again at Lahore and got to know better each other's view point.

The Ahrar hostility in my hometown Daska and registration of a false case against my brother and some others:No other sectarian incident occurred during the viceroyalty of Lord Wellington to cause personal anxiety to me. In 1936 after he had gone, the Ahrar held a meeting in my hometown Daska. Only my brother Sharkulla Khan permanently lived there. Besides him, there were just ten adult Ahmadi men in the town. None of them attended the Ahrar meeting nor

went near its venue. At the time of Maghrib (evening) prayers a turbulent gang attacked injuring my brother. He ran into the female section of the house. The mobsters tried to break in but sturdy door refused to give way. As this stalemate lasted, at midnight Shakrulla scribbled and sent across a note to the police station through a neighbour. The police officer put the note aside saying "let happen what must". The police investigation betrayed a biased attitude. I wrote a letter to Sir Donald Bide, a member of the Punjab Executive Council, that the superintendent of Sialkot police seemingly bore some grudge against Ahmadis and, more particularly, my family, hence the local police had also been acting in a partisan manner. It would be therefore appropriate that either the SP is sent on leave or transferred the investigation to be impartial.

Some days later, Lord Linlithgo asked me whether I had written a letter to Sir Donald Bide. I told him the subject of my letter. The Viceroy said that the Punjab governor had brought my letter to him alleging that since uncalled for accusations had been made against the police officials, he was left with no choice but to order a public enquiry to establish the facts. My reply was: "I feel greatly satisfied that while the government suspects Ahmadiyya is a defiant organisation posing threat to the government while Ahmadis, on their part, feel that the attitude of the governor as also of some officials of his administration is unfair and unsympathetic. The public enquiry would bring facts to light. It would give Ahmadis comfort if their grievance is found to have a basis. But if the governor's suspicion is borne out, it would be a signal to the Ahmadis to reform themselves. To avoid any embarrassment to you Mr. Governor, I would resign from the council to defend the Ahmadis before the enquiry commission".

The Viceroy observed he could imagine my difficulty and sympathised with me as even his own family in Scotland had suffered a great deal of hardship and long for its religious beliefs adding that he had already told the governor that he could not permit a public enquiry and, at the same time, he advised me to face the hardships patiently. He would extend his sympathy and support as far as

possible and I should not think of resigning till I had assessed that the circumstances arising had made it impossible for me to keep serving the people without endangering my faith. He went on to say: " I have told the governor that as far as facts go, I would believe to be true what you say out of your personal knowledge and hope you would not insist on a public enquiry".

Thanking him for his sympathy, I said "while the door to public enquiry is closed another door remains open that we will keep knocking on to seek justice from the Creator of the Universe".

As a result of the police investigation, my brother and some others were accused of rioting and attacking the Ahrar to hurt them. The place and time of rioting and attack both were fictitious. The incident as it had happened figured nowhere in the police report. The case was prosecuted in the court of a non-Muslim magistrate who held that the police story was wholly fictitious and so was the first information report. The supplementing documents were forged and could not be relied upon. The accused were released without being charged.

After the magistrate's acquittal order, the inspector general of police appointed a deputy inspector general for departmental enquiry to report whether there was a basis to the charge leveled against the local police. The order made the poor magistrate an accused who, in the course of his enquiry, had criticised the conduct of the police much more than he had recounted in his judicial order exposing its shortcomings and forgeries. The end result was the transfer of the concerned police officer from Daska and the Viceroy's message to me that my standpoint had been fully vindicated.

In 1936 the appointment of Sir Herbert as governor of Punjab was once again notified but he was not destined to occupy the gubernatorial chair. At the end of his first term he went to England on leave and while he was there I also happened to go to England to attend to some official work. There Lord Wellington told me that Sir Herbert wouldn't be able to go back. Later, it came to

light that while he was packing up to go back blood was found in his stool. The doctors warned that his going back to India would not be without a hazard. He informed the Minister for India that he would not be able to go back. A few days later his problem was all over but by then the appointment of someone else had been notified.

Member Railways and Trade, Sir Joseph Bhore's abortive attempt before my taking charge that the department of railways should be separated and I should get only the Trade Department: In November 1934, the Viceroy called me over to say that the European Members had demanded that the "communications" should be a separate portfolio to include the departments of post, telegraph, telephone and railways. Last September, he went on, when he was on leave a commitment was made on behalf of the government in the Assembly that a sympathetic consideration would be given to their demand. Bhore, Sarkar, Grig and Noeis all four were of the view that the change should take effect at the end of Bhore's term. Resultantly, my portfolio would be restricted to the department of Trade. Communication was to be assigned to Noes. He hoped I would have no objection. I said: "I strongly object and wouldn't be inclined to accept. The Hindu press was already shouting hoarse that largest of the portfolios is being given to the youngest of members. My youth was a mere excuse. The real intention is that the portfolio should not go to a Muslim. So it had become a Hindu-Muslim issue which you know well, I had not asked for this portfolio. It was your's and Minister for India's desire that I should take it up. No sooner my appointment was announced a section of Muslims opposed it. Now, if I were to agree to the change they would say that I was not interested in serving the people but to join the council no matter what portfolio is given to me. Even if others were to allege nothing, on my own I would feel slighted."

The Viceroy said he expected that I would react the way I did but I should still call on Bhore, Sarkar and Noes to hear their viewpoint and later also Grig. I said I had no hesitation in doing that.

Meetings with Sir Joseph Bhore, Sir Frank Noes and Sir N N Sarkar as wished by the Viceroy: The Viceroy directed his private secretary to arrange my meetings with Bhore and others. Sir Joseph said he would call Sarkar and Noes over to his room so that I could see all three there. As I went there, only Sir Joseph spoke with a heap of bound volumes of the assembly proceedings lying in front of him marked with paper slips. What the Viceroy had said in a few words, he told me at length and read out the references alongside. He would pause every two or three minutes and look at me. I sat silent. Finally, he finished talking but I remained silent. Bhore looked at me, then at his colleagues, and said that the Viceroy had desired that they should explain the matter to me. Even then I sat silent. He said for the second time that the Viceroy wanted him to explain the position to me fully. I said he had done well but did the Viceroy say anything else. He wanted to know what I meant.

I said: "You have indeed clarified. Did the Viceroy say what was to be done after the clarification?" He said the Viceroy had said nothing and whether I wished to say anything. "I wish to say only this much "that I had never asked for the said portfolio (trade and railways). In October the Minister for India told me that he and the Viceroy both desired that I should take up this portfolio and I felt persuaded. Now that, you say, he had made some other commitment in the assembly – whatever he said in the Assembly was before that date. The offer of the portfolio to me, and my accepting it, will tantamount to cancelling the announcement. Even if his statement was made after October 3, the portfolio had already been offered to me and if a change was intended I should have at least been consulted".

Reacting to that Sir Frank Noes said that was no concern of his. All he wanted to know was what would be his portfolio on return from the next summer vacation. I said: "Sir Frank I have no complaint against anyone. The Viceroy wanted to know my reaction and so I told him".

Before he proceeded on leave I asked Sir Joseph whether the Viceroy had given instructions that I should be kept informed of the important happenings in the concerned departments. He said "surely, why not. I do not myself want that you should be unawares of whatever goes on in the departments, you will be kept fully in picture." I asked him whether he knew who was to be the next high commissioner in London. He said no formal intimation was received from the minister but it was obvious that no one else but he himself would be appointed to that post.

I reported to the Viceroy the discussion on the portfolio adding that Sir Joseph Bhore had assured me that he would keep sending me papers relating to important matters. The Viceroy then told me to see Grig as well. "Do not be misled by the manner of his speech" the Viceroy said, "he is outspoken but a good man".

Meeting with Sir James Grig on Viceroy's advice: I went over to the residence of Sir James to see him. Since the Viceroy had alerted me and I had also heard of his reputation, I opened my conversation keeping that in view.

> **Zafrulla Khan:** Sir James, so far we haven't had an occasion to meet. You do not know me but, I believe, you dislike me. May be it is because you do not approve of a man wearing a beard in the 20th century. But that is my personal affair about which others should not feel concerned. Nevertheless, would you like to tell me the reason for disliking me?

Sir James Grig (a bit surprised): You seem to be a forthright man. I am also accustomed to plain speaking. The reason is that Fazle Hussain is a fanatic communalist and, I am told, you are his fast friend and political pupil. The railways are the government of India's biggest asset. Perhaps, you wouldn't know that the railways budget is bigger that the budget of the whole government including the armed forces and defence. Giving this department in the care of a communalist can confront the government with bankruptcy.

Zafrulla Khan: I am grateful to you for talking frankly. Now that I have come to know your reason for disliking me I would try to clarify. At the bottom of your plain talk lies a lot of ambiguity of which you are not conscious. Sir Fazle Hussain, for sure, constantly endeavors for the progress of all Indians at a rapid pace and, at the same time, he desires the Muslims to get their due share in the gains. If that is communalism, surely he is one. He treats me with affection and I have learnt a good deal from him. It is not his wont, however, to interfere in the affairs and responsibilities of others. In 1935 when he proceeded on leave, I was called upon to work in his place. I had no experience then. When I requested for instructions his reply was he wouldn't be standing by my side all the time and I shall have to swim or drown on my own. A person who so advised one who was to work in his place could not be suspected of interfering in the work of others. Here I would also like to say a word about myself. If I were to be appointed a member of the Viceroy's Executive Council, the responsibility for living up to the demands of the post would be mine and not that of Fazle Hussain or James Grig.

Sir James Grig: I would feel assured.

Zafrulla Khan: Thank you. Now please tell me how my being a communalist would bankrupt the government of India.

Sir James Grig: By giving jobs on communal basis.

Zafrulla Khan: Well said. You know for sure that appointments against senior posts are made on the basis of the result of public service commission in which the members of the Viceroy's council have no say. And for communal representation the government of India vide its notification of July 4 has fixed the share of Muslims at 25 per cent. Surely, the Muslims will press me from time to strive for an increase in share and it is also possible that obstacles are created in the implementation of the present arrangement. It would be, however, my duty to oversee full and faithful compliance with it. Would you agree that there can be no objection to that?

Sir James Grig: I agree that the government policy must be implemented whether I like it or not without a deviation.

Zafrulla Khan: Such is the position of senior posts. Appointments in the railways' lower gazetted service are made on the basis of results of examination held under the supervision of the railway board. In that, too, the member of the council has no say. Appointments in the lowest grade subordinate services is a responsibility of the agent of the concerned railway system who assigns it to the highest ranking officer of each department. Whatever happens there is too distant even for its echo to reach the members of the council. What else remains?

Sir James Grig: Promotions and transfers.

Zafrulla Khan: Sir James, perhaps you didn't know that my selection on the council was made by the Minister for India himself after consulting the Viceroy. For four continuous years I had worked in association with the minister in the Round Table Conferences and its joint parliamentary committee and four months with the Viceroy in his council. If I were to be such a man as, for example, to contend with the railway board that so-and-so should be appointed on the vacant post of chief engineer of the Assam and Bengal. Railways would he ever have selected such a nincompoop? No doubt, appointments to senior posts are made on the recommendation of the railway board and, to an extent, with the approval of the member and, further, with the approval if the Viceroy. But if the member unreasonably insists the chief commissioner has the right to see the Viceroy to explain the facts. Surely, a stubborn and unreasonable man can create many a hurdle but before so doubting a man, one must know him a little. It would be unfair to form an opinion that has no basis.

Sir James: You are right. The facts are best ascertained through trial. I am grateful to you for taking the trouble of taking time out to see me.

I narrated a gist of this conversation to the Viceroy. He was amused and wished that he was there standing behind a screen to hear the two of us talk. On return to Lahore I wrote about it all to the Minster for India concluding that I was not agreeable to the proposed change in the portfolio but, at the same time, did not wish to cause any embarrassment to him or the Viceroy. The solution to the problem, in my view, was that someone else should be selected for the Viceroy's council.

Acknowledging my letter the Minister said that he had written to the Viceroy and hoped I would face no problem. The Viceroy once again called me over to Delhi and said: "My dear Sammy Hoar has sent me a stinker. If you do not agree to the change in the portfolio I wouldn't insist upon it. In fact I had told Bhore that it wasn't right that while in his time he had held charge of both departments now one should be taken away from his successor. He had then offered to relinquish the charge of railways so that Zafrulla has no grievance. I told him it would be a clever manoeuvre on his part to have kept both departments for four years but hand over one of the two to another man leaving only one for his successor".

That is how the matter was settled but, it seems, Sir Joseph Bhore took it to heart for despite his promise, and the Viceroy's advice to him, in the intervening five months he communicated not a word to me on the subjects of his portfolio. Therefore when I took charge, as he himself had observed, I knew nothing at all about the state of affairs.

Arguing cases in the court of Chief Justice Young:In May 1935 I took charge of the portfolio comprising the departments of trade and railways. Uptil then from November 1934 onward I continued my legal practice. I did not take up new civil suits but kept attending to the civil work I had already or where a matter was ripe for hearing. Resultantly in these six months criminal cases on my file rose sharply. Chief Justice Young presiding over the first appellate criminal bench was the main reason for this increase. My continued success before his bench had fast gained currency. It came to such a stage that I had to reach my chamber at the back of the high court by 8 am. Chaudhary Fazal Dad would then place before me the printed bound paper book of appeals against death sentence listed at no 1 2 or 3. I would protest that it wouldn't be possible to study it fully in such a short time. He would say that the heirs of the accused sitting in his room begged him that I should not disappoint them. If I did, they would walk in and lament loudly making me to yield. Hence it would be better if instead of

wasting time I should use it in preparing the case. He would shut the door and not let anybody come in and since God had bestowed on me a sharp mind, I would not take long. He would then leave and assure the waiting litigants that I was at work. In utter helplessness I would give in.

My law practice and mother's prayers: Using the capacity that Allah Almighty had given me I prepared every case taking into account any argument or part of evidence or human nature that might influence the mind of the chief justice. I would prepare a brief note and fix in my mind the order in which to put the facts across. This scheme invariably worked. Whenever I had a reason to worry that in particular case that I might not succeed, I would kneel in prayer to seek Allah's help. In highly complicated cases I would also request my mother to pray.

My younger brother Asadulla Khan barrister then lived on the upper floor and worked with me. My mother would accompany me to my office from Model Town and go back with me in the evening. She used to say: "My son your clients do not know that no sooner they engage you as their advocate, I become their advocate before Allah. As you leave for the court I prostrate myself before Allah begging that my son comes back glowing in victory."

My mother also showed interest in cases. Once I mentioned to her a case that was to be heard the next day. Told that the accused was charged with the murder of his own wife, my wife said: "this dammed fellow deserves to be hanged." The mother then intervened to say: "my dear daughter we the human beings should always pray for Allah's mercy for we do not know whether he has committed the offence or not and even if he has, hanging him would not bring his wife back. God is a Great Forgiver and one must always ask for His forgiveness. The next evening as I told her that her prayer had been answered, she said Allah indeed is a Great Forgiver.

Noticing from the very first day that I prepared and presented cases in a manner he liked, chief justice Young would hear me attentively and encourage me by affirming what I had to say as I went along. I do not recall if he ever rejected any of my contentions but it did happen that he ruled in my favour more than I had asked for.

A case in Chief Justice Young's court: Residents of a village in Gujranwala district while returning from a harvest festival had a quarrel with a rival. The four accused beat him with bamboo staves breaking three or four ribs. A blow on the back burst his kidney resulting in death. All four were sentenced to death for homicide amounting to murder.

In appeal I made two submissions in their behalf. First, about two I proved from evidence that they had no concern with the matter over which the altercation took place, therefore they had no reason to quarrel with the deceased. I also produced evidence that some witnesses had previous enmity with the two. Given the benefit of doubt they deserved acquittal. Secondly, considering the nature of the injuries, I argued that the offence of the other two accused did not amount to murder. Fracture of ribs cannot be fatal and the deceased did not die of it. Bursting of the kidney was accidental. Had the blow been two inches this or that side it would have been treated as a simple injury. In these circumstances, the two accused could be guilty only of causing grievous hurt or an offence under part 2 of Section 304 of the Indian penal code – homicide not amounting to murder. In either case sentence of five years' rigorous imprisonment would suffice.

Chief Justice:Fracture of rib is a minor thing. The Prince of Wales often broke it by falling from a horse and many people go about with one kidney.

After hearing the arguments of the advocate general the Chief Justice said: "Chaudhary Sahib, you have created a problem for me (for a moment I suspected this time round my plea was not being accepted) by making the whole

prosecution evidence doubtful. If the witness had spoken a lie against two accused, how could I rely on their evidence to sustain the charge against the other two. I am therefore constrained to acquit all four. My learned colleague on the bench shares this view." All four accused were acquitted.

Yet another case:Once I ran into a problem in the court of the Chief Justice. Three charges of embezzlement were made against the chief goods clerk of Malakwal railway station who happened to be a Hindu. The case proceeded in the court of Mr. Filbos, first class magistrate at Gujrat. The younger brother of the accused, a lawyer, was defending him alongwith a senior lawyer. The accused was acquitted and the state filed an appeal in the high court. In appeal one charge was given up but not the other two. A younger brother of the accused came to me pleading that he was my student 14 years ago in the law college and I should help him in their distress. I had to regret as the case required checking of the books of accounts and with that I was not familiar and advised him to go to a lawyer who could diligently check the registers. Nevertheless, he insisted that I must defend him. I agreed so that he shouldn't be carrying an impression that I wasn't taking up the case because he was a Hindu. My hesitation also arose from the fact that the magistrate's order was so foolish as to leave no doubt that the accused had been unduly favoured. The appeal was fixed for hearing before a bench comprising of the Chief Justice and Justice Rangi Lal. Appearing for the state was advocate general Dewan Ram Lal. Recounting the facts, the AG drew attention to the entries in the registers contending that the culpability of the accused was obvious.

Chief Justice: It is palpably obvious. It makes us wonder how he dare do all that.

AG: I would now like to draw your attention to the other offence.

Chief Justice: Why bother, isn't one enough?

AG: It would help the court determine the sentence. Offence, You rest assured we wouldn't be lenient in awarding the sentence. Chaudhry Sahib, do you wish to say something?

Chief Justice: Embezzling public money is a grave offence.

Zafrulla Khan: My lord, if the advocate general has nothing more to say, I will also be very brief. To prove offence against an accused beyond a reasonable doubt is a responsibility of the prosecution and in appeal against acquittal this responsibility is only enhanced. My learned friend after stating the facts of the case has drawn your attention to some entries in the books of accounts which, prima facie, point to the culpability of the accused. But that is not enough to prove his guilt. The trial court had looked at the relevant entries and given reasons in its order as to why the entries cannot be made a basis for proving the guilt of the accused. My learned friend has said not a word about it persuading me to assume that he cannot contradict the reasons given by the trial court. In this circumstance the appeal deserves to be dismissed.

Justice Rangi Lal: Mr. advocate general, I was also wondering that you had not done your duty fully in creating an impression on our minds that the learned magistrate's order was wrong and improper. You cannot succeed in your appeal unless we reach that conclusion. In criminal cases even where the appeal is on behalf of the accused, the burden of proof still lies on the prosecution and here your appeal is against acquittal.

The AG looked at me sideways and rose again to argue further. My effort was to get him involved in the complexities of accounting and the judges should get so thoroughly fed up on which I could cash. The AG's tactic was that the responsibility for creating complications should fall on me so that the judges form the impression that the point at issue was clear and only the counsel for the

accused was confusing it. His scheme did not work. The effect on the thinking of the judges was to the contrary. Since the AG was wary of doing his job the judges, seemingly, got the impression that his case was weak and they must take care not to deny to the accused that was due to him under the law. The AG thus had to spend best part of the day in explaining the book entries and in proving that the oral evidence conformed to the entries. His long arguments had made my task easy. First, the chief justice, who use to dispose of six or seven murder appeals in a day, was upset that on the misappropriation of tariff of a few bags the argument of the prosecution alone had occupied a full day. He also seemed to be getting an impression that if the prosecution had to pass through so many complex stages, a doubt must linger at every step. Mr. Justice Rangi Lal was attentively listening to the arguments but I knew that by nature he would not insist on punishment even if slightest doubt remained.

Zafrulla Khan: My lords, I am grateful to my learned friend for drawing your attention to the essential parts of the file. Your lordships must have noted that the oral evidence is only from the rest of the office staff. The weakness in such an evidence is that it is highly likely that the witnesses, or some among them, were also involved in the embezzlement as the assumption is that without their complicity, or at least criminal negligence, embezzlement couldn't have taken place. The entries in the books on which the prosecution case rests are surely not proved to have been made by the accused in his own hand.

After drawing attention to parts of oral evidence and some entries, I continued: "Your lordships after going through all these painstaking investigations we reach the conclusion that it is possible that the amount was embezzled by the accused on his own but, it is also possible that he embezzled it in conjunction with the rest of the staff or some among them. Further, it is also possible that the amount is embezzled by the entire staff, or some among them, but all the blame is placed on the accused. It is not my responsibility to prove that the accused is innocent. It is the duty of the prosecution to prove that he is guilty.

Mere presumption of guilt is not enough to prove an accused guilty. The evidence, oral or documentary that is before your lordships does not prove his guilt. No doubt it is possible and presumption may also arise that he had committed the offence, but I can say with all the emphasis at my command that your lordships wouldn't convict on the basis of possibility or presumption. Thus, while conceding the possibility of the accused having committed the offence, I satisfied the conscience of the learned judges and, at the same time, evoked their sense of legal responsibility.

By the time the AG started his arguments the judges could be seen sitting back relieved as a way out of the tangle had been found. No sooner the AG had closed his statement, the Chief Justice observed: "Mr. advocate general after wasting two days on this case we have arrived at the conclusion that everybody in the railways is an incorrigible liar. In such a situation we see no justification for singling out this unlucky wretch for punishment and dismiss the appeal."

Later, one day, AG Dewan Ram Lal jokingly told me: "Zafrulla, the time for you to join the Viceroy's Council is approaching. Therefore as a gesture of generosity for me either you stop practicing now or otherwise I would proceed on leave till the time you have left. The cases being decided one way or the other cause no anxiety to me. My fear is that if some day you choose to say that your client was innocent but the murder was committed by the advocate general, the Chief Justice would put the hanging noose round my neck."

Farewell dinner and Chief Justice Young's complimentary remarks: A few days before my departure, the governor and ministers hosted a farewell dinner for me. The hosts out of sheer formality had to pay some customary compliments, but chief justice Young also sent across a chit to the governor that he wanted to say something. His compliments were profuse. In conclusion he said: "But in one sense I feel relieved that he is going away for his presence here was endangering the peace of the province. Whenever he entered my office I

would be alert and on guard lest by the force of his speech he makes me commit injustice to the government. Nevertheless, the things came to such a pass that anyone, no matter what his offence was, would engage him as his counsel and go scot free."

Khan Bahadur Nadir Shah: My personal assistant, Khan Bahadur Nadir Shah, had crossed the age of 55 and Mian Fazle Hussain had extended his service. I would also extend his service from year to year till the age of 60. After that there was no room for extension under the rules. After retirement Khan Bahadur settled down in Karachi. Whenever an occasion arose for me to visit Karachi, I invariably called on him. He was a very duty- conscious, industrious and honest official.

The guileless Sir James Grig: I had been at Simla hardly for two weeks when one afternoon, Sir James Grig while returning home from office stopped over at my house "The Retreat". I asked him to stay for tea but he said he was in a hurry and couldn't tarry for long, he had come just to say two things and he went on: "first, I was a part of the conspiracy that Bhore had hatched against your portfolio. The reality is now dawning on me. Bhore was a very cunning man and his wicked deeds had come to my knowledge only after his departure. Secondly, your both departments constantly attack the ministry of finance. The files of the trade department, in particular, came to me every day. Differences would often arise between you and me but that was no worry. We would exchange views and reach an agreed solution. What I want to say just now is that in my experience the weakness of the Indians is that they are wary of owning responsibility and try to shift the onus of ultimate decision to someone else. Since your assuming charge, I observed that you personally arrive at a conclusion, put it across unambiguously and assume responsibility for it. That has given me immense satisfaction. Well, we will meet some time."

I had worked with Sir James for four years. We disagreed a number of times. Most people complained of the impolite language he used but not me. Our differences were sorted out by mutual consultation. Having said his own thing, he was ready to find an appropriate solution. When I took charge, the import of wheat was subjected to a levy he had strongly opposed. The continuation, or abolition, of levy was reviewed every year. The worry was that abolition would make import so cheap as to create problems for the farming community. Considering all aspects, I formed an opinion that the levy should continue in the next year. I recorded that in the file and sent it to the Finance Member. Seeing my note he chuckled and picked up his pen to note: "I disagree but since I do not want to enter into fight with everybody, helplessly I agree." Our friendly relations lasted after he had returned to London. He continued to take interest in the constitutional and political future of India.

The issue of limiting my portfolio: Hardly a month after I had taken charge, the same old question of the distribution of portfolios figured on the agenda of the Council. I called on the Viceroy. He asked what my view was. I submitted that it was the same as in November, if at all, firmer. Now that I had assumed charge if my portfolio were to be cut down an assumption must arise that I had not proved equal to it.

Viceroy: You know Noes is about to proceed on leave. Before he leaves he insists he must know the departments to be assigned to him on return, Mr. Sarkar also thinks that he had so little to do that he was tired of sitting idle and reading novels. Hence, he must get some more work.

Zafrulla Khan: I do not wish to create any problem for you. During this period, your worries have somewhat lessened. Sir Joseph Bhore has left and Sir James Grig is not looking for a change either. If Mr. Sarkar complains of lack of work, I could help in dispelling his complaint. Two complex and troublesome issues presently confronting the trade

department are amendments to the insurance law and company law. I hardly have time to spare. If Sir N N Sarkar so wishes I am ready to transfer both these subjects to him. That would leave him no leisure to read novels for two or three years. You would be leaving after a year. May be your successor wishes to redistribute the portfolios. Wouldn't it better that no change is made in the remaining part of your tenure and it is left to the new Viceroy to assign the portfolios as he deems appropriate?

Viceroy: Your proposal appears reasonable to me. If you are prepared to hand over the subject of amendments to the insurance and company laws to Sarkar right now, the problem could be easily resolved.

The Council met that very evening. After two or three members had expressed their views, the commander-in-chief, Sir Philip Chatwood, told the Viceroy that he had consulted his colleagues. The assignment of portfolios lay in Viceroy's power and whatever he decided after further consideration, the other members should have no hesitation in acting upon it. The next day all of us were informed of the Viceroy's decision not to change the portfolios during his tenure leaving it to the new Viceroy and, further, that the member trade had desired that member law should take over the insurance and company laws to which the latter had agreed.

Terrible earthquake in Quetta: A terrible earthquake shook Quetta on 31 May 1935 causing enormous loss to life and property. I instantly directed the chief commissioner of railways, Sir Guthrie Russell, to provide every possible assistance without waiting for approval and amendment or repeal of the relevant rules. The sole objective should be to help reduce the hardships of the victims of the calamity.

Death of Syed Inamullah Shah: As I set on the journey from Lahore to Simla, Syed Inamullah Shah accompanied me up to Anbala. From there he

proceeded to Hyderabad Deccan to attend to the affairs of his journal *Daure Jadid*. There he suffered food-poisoning. Nawab Akbaryar Jang took him from the hotel to his residence. Despite every possible treatment he did not survive. He was a steadfast and sincere friend. His death caused enormous grief to all of us.

Address to the Railway officers at their conference: A conference of the association of all railways used to be held twice a year – at Simla and Delhi. After I took charge, as was customary, I was the chief guest at the Association's dinner at its Simla conference. The Agent of the North- Western Railway, Mr. White, was the chairman of the session. I told the chief commissioner that though there would be formal speeches at the dinner, I would like to address the members during a session of the conference. He arranged it and said at the same time that the members before me had shown not much interest in the department and the officials were greatly assured to hear that I wished to speak to them and eagerly awaited it.

I arrived at the venue at the appointed time. I had earlier instructed that only the railway officers should attend my speech session – secretaries, stenographers, and peons should not be around. The officers present were all older to me in age. A vast majority among them were Europeans very few Indians were to be seen. Each one of them was skilled and experienced in his craft. I was the only one among them who had no skill in any branch of the vast department. In their view it must have been an act of great confidence and courage that I was there not to learn from them but to tell them something. None of my predecessors had done so. No doubt they waited eagerly for what an ignorant man had to tell them. This is how I spoke to them:

Gentlemen, I am grateful to you for taking some time out to hear me while you have gathered for mutual consultations on matters of importance. I have come to you as a representative of the common people of whom you and I are servants and who are the largest customers of your transportation business,

i.e., third class passengers. How these children of God are treated in your trains you have no personal experience not knowledge. May be you have led yourselves to believe that you know a lot about them but a little that you know is heard from others and in passing.

That way compared, I am more experienced and knowledgeable then you are. All of you belong to elite railway service and have risen to high-ranking posts through superior cadres. From the day you entered service you were entitled to travel in first class and free. With the passage of time you got an eight-wheel and then sixteen-wheel saloon. I have no quarrel with that. Everybody should get the facilities he needs to do his duty. I know little or nothing at all about the vocations in which you are experts but what I am going to say would be new and unusual for you and is based on my personal experience or had happened to me personally or seen it happen to someone else. I wouldn't go by hearsay. I have travelled in every class of the railway and even now wouldn't mind travelling in any class. If an occasion demands I would still travel by third class so that I may not lose that habit. Secondly, I am a villager and so are many of my relatives and friends who travel third class and sometimes I also travel with them. And, thirdly, it is now my duty to see whether the third- class passengers are getting due attention or not.

The first point that I wish to put across to you is that though railways is a department of the government, we must not forget that we are not officers of the government. We are all told that every official of the government is in fact a servant of the public – this is particularly applicable to the railway officials. We are the drivers of trains and servants of the passengers. We are there not to sit in chairs but to serve.

The second point is that running the railways well does not only mean that trains are clean, run fast and on time. All this is, no doubt, important but what matters above all is that passengers of all classes and more particularly of

third class travel in comfort and free of worry. Sadly, a large majority of third class passengers in our country is illiterate who cannot read what is written on your information boards. Journey is a source of anxiety to all but of much greater anxiety to these creatures of God. As they arrive at a station they do not know when the train of their destination would come and depart, when the ticket window would open, what the fare would be, how many stations would fall on the way and when they would reach their destination. If it is a station like Lahore they wouldn't even know where is the ticket-window or the platform. The barriers and bars around the third class make the passengers feel as if they are confined to a lock-up. They wonder all the time whether they would be left waiting while their train departs. When they ask an official he shoes them away with a "it is not time yet for your train". May be he politely tells a passenger how much time remains for his train to depart. From "it is not time yet' all that a passenger makes out is that his train is not about to leave but doesn't dispel his anxiety lest it should depart while he dozes off.

What I have recounted so far is the worries every passenger must face but such worries exacerbate when a ticket collector or clerk just harasses or tries to extort. Once a ticket collector disdainfully told me that after all he was an officer and the passengers must learn to respect him. If a passenger was rude to him, he can set him right in no time. I asked him what does he do. 'It is very simple', he said. 'I take his ticket, drop it on the ground, put my foot on it and sternly ask for the ticket again and at once. When he says he had already given it to me. I accuse him of telling a lie, fine him and threaten to hand him over to police. He soon comes to his senses.

I would like to remind all of you once again that we are servants and to serve is our duty and the urge to serve should be our distinction. Here I would like to narrate some incidents arising from of my personal experiences from which you should be able to infer that if an educated first or second class

passenger can get such an unsympathetic treatment, the fate of an illiterate third-class passenger could be only worse.

At this stage I narrated some incidents that had happened to me personally and how the comfort of the passengers is ensured in foreign countries, for instance in Britain. Concluding, I drew the attention of the audience to a few more things. First, arrangements should be made to keep the passengers informed to save them from anxiety in the absence of information. Secondly, travell by train should not be a struggle but an enjoyable experience. Thirdly, the staff, as a habit should treat every passenger and the third class passengers in particular with courtesy.

I thanked them for listening to my submissions patiently and urged them to give practical shape to my suggestions.

The effect of my address on the railway officials: In the course of my speech I kept a close watch on the facial expressions of the audience. Some listened attentively and also took notes, some looked interested while others frowned and seem to wonder at what was going on and what lay ahead. Some looked angry on a bearded maulvi, coming from nowhere, making a vain, even rude effort to impart wisdom to them. About the GIP Railway I had heard complaints about the unfriendly behaviour of the European officers towards the Indian officers. However, I noticed that most attentive to my speech were the GIP men. The Agent of this railway, Mr. Wilson, later often saw me to report orally or in writing the reform measure he had introduced.

Mr. Hite moved up to the Railway Board and Col. Carson replaced him as Agent of the North-Western Railway. He also paid attention to my suggestions. By and by the other railways followed – but the person of the Agent remained either a help or a hindrance. On return from tours, I would point out the areas needing improvement to the chief commissioner, Sir Guthery Russell. He was a good colleague and our discussions were frank. I learnt a great deal from

him and he would carefully listen to what I had to say and devise plans to implement my suggestions.

Since everybody travels by train and shows interest in the Railways, in the Assembly a hail of questions kept me in picture about the feelings and complaints of the common man. I would draw the attention of the department to the areas where improvement was possible. Prof. Ranga of Madras, through a question, drew attention to the unspeakable state of sanitation in the third and inter class toilets in the latter part of the night. The department's reply was that the complaint was without a basis. I read that out in the Assembly.

An inquiry, however, revealed that the state of affairs needed attention. On a tour of South India travelling by the same express train, I left my saloon in the second part of the night to have a look at the toilets of third class bogeys at two or three stations. Their condition needed a lot of improvement. Among the points that I raised with the chief commissioner, this was one. He called over the concerned member of the board and a director for advice. The complaint now could not be dismissed as baseless as I had seen the conditions personally. Both said that no improvement was possible for it was an express train which halted but at three or four places and only for three to four minutes. At one halt only two or at best three toilets could be cleaned. The sanitation staff can be expected to do no better.

I said given sympathy and thought everything could be done. I was asked to suggest a way out. I said during the night the train would stopping at six or seven places. A sketch of the train should be prepared. At the first halt the toilets of bogeys immediately behind the engine should be cleaned and at the second halt the next three. Thus, in six hours all the toilets could be cleaned two or three times. They agreed and some improvement was made. It had just not occurred them.

Proposal to run air-conditioned bogeys: Sir Guthery Russell was an engineer. Once I consulted him on the means to keep dust out and compartments cool in summer. He said both looked practicable and he would prepare a plan. It was decided to start the experiment of cooling compartments with ice in express trains in northern India. If the experiment succeeded it was to be extended to the other areas. Though the proposal met with some resistance in the assembly, the experiment proved successful and cool compartments were provided in the express trains in the north. Sir Guthery Russell proposed to experiment with cooling of a whole train with only two classes – one with sleeping births and the other seated. His guess was that the fare of sleeping compartment would be more than first class but for the seated it would be the same as for inter class. If the while train was to be cooled by the engine power, the average cooling cost of a compartment would be less than cooling by ice and, to boot, heat the train in winter. I showed keen interest in this project as it would have marked the beginning of comfortable travel for the people but that was not to be. First, I left charge of the railways in 1938 and then came the Second World War to divert attention to more pressing matters. It is a pity that in 20/25 years after the war that facility has not been provided though the expert view was that there was no insurmountable obstacle. The implementation of the project I thought, besides comfort, would have resulted in cultural and social gains.

Talks with the British Government on amendments to the Ottawa Trade Agreement:Important and interesting questions routinely came under consideration in the trade department some for debate in the Assembly. The questions raised covered the whole gamut. The most important issue to come up in my term related to the Ottawa Trade Agreement.

The secretary of the department then was Mr. Thomas Stewart, younger brother of Sir Findletter Stewart, Deputy Minister for Indian Affairs. Later he also became a member of the council and still later the governor of Bihar. He worked hard as secretary of the department. His notes on issues most complex

were always detailed and explicit. Having read his note, it was hardly ever necessary for me to go through the file. He worked even harder in preparing for talks on the Ottawa Agreement reducing my burden a great deal.

The Assembly passed a resolution for amendments in certain aspects of the Agreement to yield greater benefits and exploring new avenues to increase India's trade with the European countries. Central to the amendment of the agreement was to enhance the rate of duty on the cotton cloth manufactured in Lancashire and to persuade Britain to buy Indian cotton in larger quantities. Some other trade issues between India and Britain also needed resolution but the cotton issue outweighed them all. The textile owners of Bombay and Ahmadabad insisted that the duty advantage to the British cloth should be reduced, if not withdrawn altogether, while the farming community demanded measures for increased consumption of Indian cotton in Britain.

The Prince of Wales succession to the throne on the death of King George V and abdication to marry Mrs. Simpson: King George V died in 1936. Edward VIII succeeded him. By then the "Simpson affair" had come to the fore. King Edward was determined to marry Mrs. Simpson. The hope was that he would agree that after marriage she should not be a part of the throne and the crown nor her children would be heirs. But Prime Minister Baldwin was not ready to go along. The difficulty for the Church was that the King of Britain is also the head of the Church of England. The rules of the Church did not allow the King to marry a divorced woman whose former husband was alive. By violating the rule, the King could not remain the head of the Church. In short, this question became extremely sensitive leaving no room for the King but to abdicate. His younger brother Duke of York under the title of George VI ascended the throne.

Sir Feroz Khan Noon's appointment as High Commissioner in London:In 1936 I asked Sir Joseph Bhore about his appointment as high commissioner in London. He insisted that though the Minister for India had yet

to issue formal orders, no candidate for the post was in the field considered more deserving than him. In May 1935 when I took over from him, it was in the air that on his request the Viceroy had recommended to the minister that he should be appointed high commissioner. The minister replied there should be no hurry as there was plenty of time for the post to fall vacant. And, further, since the department of high commissioner fell under the trade department, he must ascertain the views of the member for trade. Therefore he would wait for Zafrulla to take over and get his opinion. During 1935 Sir Samuel Hoar became the first lord of admiralty and Lord Zetland succeeded him as Minister for India.

In December 1935 an opportunity arose for me to call on Sir Fazle Hussain. I asked him who could be the most suitable Muslim candidate for the post of the high commissioner. He said the candidates were quite a few – including Sir Liaquat Hayat Khan and Sir Feroz Khan Noon but most appropriate would be Sir Abdul Qadir Sheikh. He was then a member of the Viceroy's advisery committee living in London. It was then a tradition for the Viceroy to visit Calcutta during Christmas and the Council would meet there.

Travelling from Punjab to Calcutta for the meeting of the council, I stopped over at Patna for a day. There I received the agenda of the meeting in which one item related to the selection of the high commissioner. I was to leave for Calcutta the same evening as the council was to meet the following morning. I got worried as it left no time for me to consult my colleagues. Kunwar Sir Jigdish Singh with whom I could have talked frankly was on leave because of the indisposition of his wife and Sir Girja Shankar Vajpai was working in his place.

I told Khan Bahadur Nadir Shah to find out as soon as we reached the station whether the saloon of some other member was also attached to the Calcutta mail train. At the station he told me that the saloon of Sir Girja Shankar Vajpai. I felt assured that I would get to know about the background of the

matter. In 1932, Mr. Vajpai had worked with me as secretary education and I knew that he was a bit unhappy with Sir Joseph Bhore.

Sir Joseph had represented India in the silver jubilee celebrations of King George V. Sir Fazle Hussain had then advised him to take along Sir Girja Shankar to assist him in securing concessions and equal treatment for the Indians living abroad from the prime ministers of the Commonwealth nations. Sir Joseph said he would gladly take up that task but taking Sir Girja Shankar along shouldn't be necessary. Quite naturally, that upset him.

As the train arrived I went over to his saloon. In the course of conversation he himself broached the subject of high commissioner's appointment adding that a suitable Muslim should be appointed. I said I too was that way inclined but had learnt that the Viceroy had already recommended Sir Joseph Bhore. Sir Girja Shankar said that Sir Joseph considered himself most suitable for every post. Being the minister for trade it was wholly inappropriate for him to request the Viceroy to recommend him for a subordinate post of his own department. "Your opinion therefore would not be in his favour," I enquired. He said being an acting member it wouldn't be appropriate for him to intervene. He would rather stay neutral. The train by then was about to depart and I returned to my saloon.

In Calcutta, I found an opportunity to talk the matter over with Sir Henry Creak and Sir James Grig. Sir James said he was utterly opposed to the appointment of Bhore and he would support whoever I recommended. Since I knew that Sir Frank Noes and N N Sarkar favoured Bhore there was no point in talking to them. In the meeting the Viceroy said that the Minister for India wished to know the council's opinion about the high commissioner's appointment and the members should give their views. Sir Frank Noes said "you have already recommended Sir Joseph Bhore. Ins't that enough." The Viceroy

replied: the minister knows my views. Now he wants to know the views of the council."

Commander-in-Chief: I rarely deal with such matters, hence I have no definite opinion.

Sir Frank Noes: I agree with you that Sir Joseph Bhore is a very competent man and his services no one can match.

Sir N N Sarkar: I agree with Sir Frank.

Sir James Grig: I am totally opposed to Bhore.

Viceroy: You oppose Bhore but whom you favour?

Sir James Grig: In no way I want Bhore. I will have no objection to the appointment of anyone else.

Sir Henery Craik: I think it is the turn of a Muslim to be appointed. In my view Sir Abdul Qadir is suitable.

Sir Frank Noes: How Sir Abdul Qadir can at all be compared with Sir Joseph Bhore.

Sir Henery Craik: Sir Abdul Qadir is an able man and experienced as well. He has been a minister in Punjab, member and president of the executive council and judge of the high court and now is a member of the Minister for India's advisory council.

Sir James Grig: I agree with Sir Henry.

On my turn I said: I would be dealing with the high commissioner more than others. My concern is that Sir Joseph doesn't trust me. You may recall that you and Minister for India both had directed that till I assume charge all matters coming up for consideration in the departments of Sir Joseph should be sent to

me. On my return from London Sir Joseph had assured me that it will be done. But it may surprise you to hear that he did not send even a line to me. Such being his lack of trust how could I expect co-operation from him?

Sir James Grig: I agree with Sir Zafrulla. Both of us don't trust him.

Sir Gurja Shankar Vajpai: Your excellency, I am holding temporary charge and do not know what view Sir Jigdish Prasad has in this matter, I would rather not express any.

Viceroy: Three opinions in the Council are in support of Sir Abdul Qadir and tow for Sir Joseph Bhore. I would convey this position to the Minster for India.

Sir Frank: How? Your opinion is also in favour of Sir Joseph Bhore. It is a tie and you have a casting vote.

Viceroy: At this point of time my opinion is irrelevant. The minister wants to know the opinion of the council.

The Minister for India Lord Zetland's vain insistence on the appointment of Sir Joseph Bhore as High Commissioner in London: Back in Delhi, the Viceroy asked me to show to him the Minister for India's telegram concerning the appointment of the high commissioner. The minister had written: "I hold Sir Abdul Qadir in great esteem. He is a very good man but since he does not have enough experience of matters administrative, in my view, his appointment will not be appropriate. I am aware that Nawab Chhattari, Dr. Shafaat Ahmed Khan, Sir Sikander Hayat Khan, Nawab Liaquat Hayat Khan, Mr. Latifi etc. would also be aspiring to be considered. I know all of them and in my view none of them is suitable. You should try to bring Grig and Zafrulla round to agree to the appointment of Bhore."

The Viceroy asked my opinion in that situation. I said I could not agree to the appointment of Bhore but I may have more to say after speaking to Sir James Grig. Taking leave of Viceroy, I went over to see Sir James and told him about the Minister for India's telegram. He said that he would never agree to Bhore's appointment – what next?

Sir James said: "My guess is that the present minister (Lord Zetland) does not want a Muslim to be appointed. I had named every Muslim I could recall but he had declared all of them unfit though some among them would not accept even if the post was to be offered. Now all that remains to be done is to propose a man to the Viceroy whose record is impeccable and whom the minister does not know personally. Otherwise he would say he knew him and did not consider him suitable.

Sir James asked me whether I had such a person in mind. I named Sir Feroz Khan Noon. He asked me whether he would be willing to go. He would love to go, I replied. Sir James then suggested we instantly go to the Viceroy to propose Noon for the post.

The Viceroy also inquired whether Sir Feroz Khan would be willing to go. I said he would and I guarantee that. The Viceroy sent a telegram to the Minister for India saying "Grig and Zafrulla in no manner agree to Bhore's appointment. Instead they have proposed the name of the Punjab education minister, Sir Feroz Khan Noon, who is M.A from Oxford, Barrister at law and has been minister in Punjab for eight years. I agree. His appointment will be appropriate."

Left with no alternative the minister gave in and Sir Feroz Khan Noon was appointed high commissioner in London. After the minister's approval, the Viceroy mentioned it in the council. Sir Frank Noes grumbled for a while only to say "Now that the minister has decided, for us to comment would be to no avail."

My representation in King George's coronation as representative of British India:In May 1937 the coronation of King George VI was held. I was appointed to represent the British India and His Highness Maharaja Baroda rulers of the states. The celebrations were held in great pomp and ended peacefully.

Participation in the Conference of the Prime Ministers of Commonwealth: After the coronation the conference of the Commonwealth prime ministers was held as scheduled. I was among the delegates. In the conference I made acquaintance of the prime ministers. The conference was still in progress when British Prime Minister Baldwin resigned and Mr. Neville Chamberlain replaced him.

Talks with the British Government on amendments to the Trade Agreement:The engagements over, talks were to be held with a delegation of the British ministry of trade on changes in the trade agreement. I was to lead the Indian delegation along with six non-official advisers who were: Nawabzada Liaquat Ali Khan (ten years later he became Pakistan's first prime minister), Sardar Datar Singh, later vice chairman of the imperial council of agricultural research; Sir Edward Benthal, later a member of the governor general's council; Sir Parshotamdas Thakurdas; Mr. Kasturbai Lalbai; and Mr. G.D Birla. Invited to work with me as advisers, the first three accepted the invitation without a hesitation. On behalf of the other three, Sir Parshotamdas Thakurdas came to see me at Simla to ascertain whether their appointment was ornamental or they would be really working as advisers. I told them my intention was to consult them at every step and benefit by it but as a representative of the government the final decision would be mine. My expectation, however, would be that the decision should not be merely by consultation but unanimous. Thus satisfied they accepted the invitation. The British trade minister then was Col. Oliver Stanley son of Lord Derby. The secretary of the ministry was very able and perceptive Mr. Brown. For talks with us the ministry formed a delegation of which Sir Fredrick White was the chairman but all other members were non-officials or

observers. Sir Fredrick was the first president of the assembly of India and the presumption, perhaps, was that he would be fully familiar with the Indian issues and temperament. That proved elusive. His advisers were expected to be capable and experienced but before our joint campaign they proved no more than wooden statues. I had with me just one secretary.

Sir Raghuvan Pilay, ICS: In 1935 when I took charge as member of Viceroy's Council Mr. Saleh Akhter Haidri mentioned to me that Mr. N R Pilay of the Indian Civil Service who then was posted as collector of customs in Bombay was a very able officer. Though Sir Joseph Bhore and Pilay both belonged to Madras, were Christians and their wives were British but they had hardly had any contact with each other. I appointed Mr. Pilay as deputy secretary in my department. He proved as capable as was Mr. Haidri – in fact more. Later he became joint secretary and held high offices in the government of India and was knighted. As my only secretary and adviser in the trade delegation, he performed his duties very well.

In the very first meeting I could see that the negotiations would last long and end without reaching a worthwhile conclusion. After a few meetings I called on Sir Findletter Stewart, deputy Minister for India to report to him on the course of negotiations. He agreed with me that working the way we were would yield no result. He said he would suggest to Mr. Brown to have direct talks with me to make them meaningful. After he had talked to Mr. Brown, I went over to see him and found him quick-witted. We agreed that in the first instance two of us should negotiate and once we agree I should consult my delegation and he would consult his minister and settle the points discussed. The task, we agreed, was complex and long and if the delegations were to remain engaged in arguments it might take years to conclude.

The procedure agreed with Mr. Brown was that at the first stage the Indian demands should be ascertained and only after that an understanding could

be reached. The first, and biggest, demand was that Britain should buy the maximum possible quantity of cotton from India. The settlement on it however was linked with the rate of duty on the cotton cloth manufactured in Britain and imported by India. We agreed to put this important issue aside to be discussed after the lesser issues were decided.

I would meet Mr. Brown two or three times in a week, hold daily consultations with my delegation and keep the government of India informed whenever a formula was proposed or changed and explain it to Mr. Brown in a few minutes. He would go back to his room and come back in minutes with the proposal set out in a very clear and simple language making me wonder whether it was a magical incantation or God had bestowed on him extraordinary intelligence and, alongside, gifted him with the ability to put most complex of issues in plain words. Once I told him that the work he did I couldn't possibly do however hard I were to try. Smilingly he said: "When I notice how quickly in course of discussions you form an opinion on a proposal or amendment, I wonder whether I could never do that". My reply was: "It is Allah Almighty's special favour that in doing the job entrusted to us He had given me the right perception about one and you a mastery over the other and then brought us together in this task."

Visits to various European countries and meetings with their trade ministers and officials: In mid-July as the officials of the British trade ministry went on holiday, one after the other, and discussions on the trade agreement were put off till the end of August I sent a telegram to Viceroy's private secretary, Sir Gilbert Laithwait, to seek instructions whether to return or stay on in England. The replay received was that the journey would take so much time as to leave no more than a fortnight for stay at home, therefore the Viceroy had directed that in pursuance of the second part of the assembly's resolution I should go to some other European countries to discuss the promotion of Indian trade.

I set on journey to The Hague, Berlin, Copenhagen, Stockholm, Helsingfors (Helsinky), Warsaw, Prague, Zelin(Zelmograd), Vienna, Budapest, Rome, Switzerland and Paris and held meetings with the trade ministers, officials and, at places, with foreign ministers on exports from India. Since in those countries India had no resident representatives, one was entirely dependent on the intermediation of the British embassies. At places my personal contacts helped. The travel greatly added to my knowledge. Since the aim was to gather only preliminary information I came to the conclusion that exports to those countries from India would require a sustained effort, more particularly through trade delegations.

In Budapest, besides information on trade it was arranged for me to see their agriculture museum. There I was amazed to see how a country which the First World War had cut to a size much smaller that its earlier vast expanse had laid down a perfect framework for the export of its farm produce. At the entrance to the museum was a large map of the country dotted with small electric buttons of various colours. The official who was showing me round would press a button on a table to light up on the map in various. The guide would tell me that the places lit produced this or that grain or fruit, its quantity and how much of it was consumed internally or exported. In another room of the museum were details of the regulations for export. For instance a plain wooden board was shown to me that displayed all apple areas for export. Each apple had to pass through a standard hole in the board. It was rejected if smaller in size or weight. Twenty-seven years later in 1964 I saw a similar arrangement on a larger scale for sorting out apples in a factory in Japan. In Hungary I was told that the government control was so stringent that nothing defective or sub-standard was exported. It occurred to me that if Pakistan were to enforce similar rules, its trust would go up in foreign markets. It is a pity that at the moment the reputation of Pakistani traders abroad is not at all enviable.

At the beginning of September, negotiations restarted at Britain's trade ministry and by mid-October a satisfactory settlement was reached on our first-stage viewpoints. However more tedious issues remained to be resolved. It was then decided to put off the negotiations to be resumed next year for consultation with the Lancashire cotton cloth manufacturers.

Meeting with (Quaid-e-Azam) Mr. Jinnah on return:On reaching Bombay I thought it was an appropriate stage to meet with (Quaid-e-Azam) Mr. Jinnah. I called on him to briefly explain the lines on which the trade negotiations were proceeding. I imagined by then he would have heard the details from Sir Parshotamdas Thakurdas as Mr. Jinnah's relations with Bombay's commercial circles were very cordial. After hearing me he had only this much to say "Keep trying the best you can. If the outcome is to the benefit of India I would have no hesitation in endorsing it." I submitted it was too early to predict the result but our expectations of him would be to look at it from the commercial and not political angle. He said that was the right view and that is what he must do.

The second round of negotiations on trade pact with the British Government:In 1938 I again went to London in a delegation. This time round the discussions began on the purchase of Indian cotton. After an understanding was reached between me and Mr. Brown and my advisers had also agreed, Britain's trade minister took a firm stand that the proposal was wholly unacceptable to him. The proposal was: Britain would buy a fixed quantity of cotton from India. And if purchase by Britain conformed to the quantity mentioned in the agreement, the duty on the Lancashire cotton cloth exported to India will be levied at a reduced rate. But if the purchase of cotton was less than the stated quantity the duty on the imported cloth will also be proportionately increased.

The trade minister's assertion was that the stated condition was penal and derogatory to Britain. Secondly, he objected to the quantity proposed for purchase which he thought was much in excess of the estimated consumption in

Britain. As this obstacle arose I again went to see Mr. Findletter Stewart. He said he would arrange for me to see Mr. Wilson who was special adviser to the prime minister with office in 10 Downing Street. I should explain the problem to him and request him to advise the prime minister that this matter should come up before the cabinet. I told him that according to Mr. Brown, Col. Stanley (trade minister) was not willing to take it to the cabinet. Mr. Stewart said if the prime minister were so to order, he shall have to. Mr. Wilson before talking to the prime minister will necessarily enquire from Mr. Brown and finding him amenable would be in a position to inform the prime minister that the department was willing but the minister was hesitant.

The strategy worked and the matter came up before the cabinet despite Col. Stanley's resistance. The prime minister proposed and the cabinet approved whatever had been agreed between me and Mr. Brown. The most difficult of all hurdles that remained to be crossed was the basis for determining the concessional rate of duty on the import of Lancashire cotton cloth. I proposed to Mr. Brown that since we had visited Britain twice it would be appropriate for the Lancashire manufacturers to come to Simla early in May for discussions on the last remaining issue. We could not reach an understanding but we were able to assess their demands and could strike an agreement somehow.

I presented to the Viceroy a summary of final discussions with the British delegation and also indicated to him the lines on which an agreement could be reached. Simultaneously, I proposed that as the British delegation was about to sail for England, it would be, perhaps, appropriate for me to fly to England. Though formal negotiations will begin after the Lancashire delegation returns (and by then our advisery panel would have reached London) it would give me an opportunity to put my viewpoint across through informal talks. The Viceroy agreed and I left for London early in June.

Trade agreement and Mr. Birla's view: A problem for me in relation to my advisery panel was that the matter that remained to be decided was to have a bearing on the Indian manufacturers of cotton cloth. They wanted no concession to be given in duty on the import of Lancashire cotton cloth and if it must be given (as they realised it shall have to be) it should be kept at the minimum. The solution occurring to me was that in negotiations with the Lancashire people I should stick to the concession they were willing to concede and thus, leave some room for conceding a bit more. I was hoping that even if Lancashire were not to agree, Mr. Brown will find somehow a way out that to bring the approved rate of concession to a level somewhat lower than the last benchmark set by my advisery panel. The viewpoint of Sir Parshotamdas Thakurdas and Kasturbhai Lalbhai had been all along reasonable.

The viewpoint of Mr. Birla, outwardly, was that we must get in full what we had demanded without conceding any ground. But if persuaded by others he would agree. Toward the end, however on one point he would not give in. Since throughout we had been going by consensus, I was keen to iron out the last difference of opinion. Finally, Mr. Birla said he would agree but only on the condition that interpretation of the relevant clause should be left to him. I said though my effort was that each and every clause of the agreement should be so explicit as to leave no room for interpretation, yet the need for it might arise. The agreement being between the two governments in the event of a difference arising the manner of resolving it shall also have to be mutually agreed. Thus, it wouldn't be possible to leave the interpretation to him alone. I told him that such a device could work in the Congress party as no one could help but agree with Ghandiji but not in an agreement between two governments. In the first instance the effort should be that the language of the agreement is so unambiguous that no difference arises at all. But if it does the decision must be left to a neutral arbitrator or a judge. To have an intention at the very outset that when the other party has one interpretation we must interpret it differently would be contrary to

the demands of integrity. Mr. Birla said Bapuji (Mr.Gandhi) use to do the way as he had been suggesting.

At that time I thought, Mr. Birla, perhaps, had misunderstood Ghandiji on some occasion. But later in life when on a number of occasions the Congress leadership tried to alter agreements under the pretext of interpretation, I had to believe what Mr. Birla had said then. The 1964 Cabinet Mission Plan, which the Muslim League and the Congress both had agreed fell a victim to Pundit Jwahrlal Nehru;s interpretations that made even prime minister Attlee, who was an unrelenting opponent of the partition of India, believe that there was no other alternative. Again, Nehru's promises, the resolutions of the United Nations and its commission on plebiscite in Kashmir, which he had accepted, also became victims of interpretation putting the peace of the sub-continent in jeopardy for long years culminating in war in September 1965.

Trade agreement and Col. Stanley's threat to resign: While such were the feelings of my advisery delegation, on the other side I found Col. Stanley wholly despondent when I went to see him. After routine greetings he said: "Zafrulla, I had thought of resigning when the cabinet last time decided the trade issue contrary to my recommendations." I said "Stanley, hearing this from you causes me no qualms. First, if you were to resign you would have resigned then. Secondly, it is an issue between you and the prime minister and of no concern to me. Thirdly, if you resign someone else will be appointed chairman of the board of trade with whom I will negotiate. Undoubtedly, it would be a sad thought for me that I would no longer be negotiating with a person with whom I was on friendly terms for eight years. It is also likely that your successor may not support the case of Lancashire industry as much as you had done because of your family. That somewhat lessens my worry. In any case we should be talking to each other as representatives of the two governments and that has no concern with your resignation."

He was taken aback a bit that what he had said confidently and expertly to cause me anxiety had no effect at all. I would not have spoken to him so plainly but for the fear that even if I were to commiserate with him, however formally, on the issue of his resignation, it might persuade him to become more stubborn in his stand. His mention of resignation gave me an impression that he was weak by nature and being afraid of his weakness he was wanting to conceal his weakness under the cover of resignation. To think of resignation two months after the event did not leave on my mind a favourable impression of his self-esteem.

The subject Trade Agreement goes before the Cabinet: During the negotiations, Mr. Brown and I reached close to an understanding this time round as we had earlier. To resolve the differences that remained, I offered to him a minor concession in favour of Lancashire as he gave up on the rest. Col. Stanley, however, plainly refused to endorse our agreement and place it before the cabinet. I went up to Sir Findletter Sterwart once again and also met Mr. Wilson. I called on Lord Derbey to request him to make his son understand. He told me that poor Oliver (Stanley) had fallen ill and was confined to bed. He himself was leaving for Lancashire for a few days and on return would talk to him if he was well enough. But Col. Stanley remained confined to bed. On the direction of the prime minister the subject went up to the cabinet. The following day Mr. Brown told me that the cabinet had approved my last proposal after an expression of dissent and the prime minister observing "Britain is a big country, India is a small one. Zafrulla's last offer benefits India but we should not grudge it. I have quite a few other worries on my hand outside the Commonwealth and wouldn't like to add to them by raising a dispute with India. I know Zafrulla well. If he says he cannot go any further we should either agree with him or abandon this agreement altogether. That, of course, would not leave a good impression on the Commonwealth countries. Better we accept his final offer."

I thanked Almighty Allah for His infinite mercy in bestowing such a high favour on me. Mr. Brown said that though he had told me of the decision informally the protocol requited that the cabinet decision should be conveyed by the minister concerned to his counterpart. Since his minister was still unwell, he asked me to come the following morning at 10 and we would together call on the minister and he would announce the cabinet decision (in the absence of Col. Stanley, this matter was entrusted to the health minister).

The next day two of us went to see the health minister Sir Charles Kingsley. He had read out but the first few sentences of the cabinet decision when I got worried for the proposal was not mine but Mr. Brown's. Brown too realised it and stood up to point out that that was not the cabinet paper. He took out the relevant paper from the file and placed it before him. He read it to me. We thanked him and came out. I was relieved that it wasn't Col. Stanley's unpleasant duty to read it out otherwise he would have necessarily prefaced it: "Zafrulla, now I shall have to resign but before that I will read out the decision to you." His indisposition saved him from resigning.

In those days, Sir Harry Bodi was the president of Bombay mill owners association and, in that capacity, a member of the assembly, He had come to know the details of the agreement from Sir Parshotamdas Thakurdas. When I met him he told me: "Whenever I happen to see any official of the Board of Trade I would say 'Zafrulla must have cast a magic spell on you." He then asked me how I had been able to bring them round to agree to my conditions. The Viceroy Lord Linlithgo was also there on leave. The agreement over, I went to call on him. He received me with great courtesy and observed "It was a very tedious task that you have accomplished remarkably well."

Offer to succeed Sir Shadi Lal in Privy Council: As I took leave of Sir Findlay Stewart, he disclosed to me that Sir Shadi Lal before going back to India had told him that he wouldn't come back. Though he had been saying every year

that he did not feel at home here, didn't keep well, the climate didn't suit him, but this time round it seemed he really intended not to return. "Would you like to take his place" he asked: I asked for his advice. His advice he said would be I should. I said I would think about it when Sir Shadi Lal resigns.

Law of Khula or wife seeking to dissolve marriage: When I arrived in Simla the Assembly was in session and Kazi Muhammad Ahmad Kazmi had introduced a bill seeking to do away with hardships that the married Muslim women wanting to dissolve marriage face in the Indian courts. The bill contained a provision that if a Muslim woman were to abandon Islam to adopt another religion in which Muslim men are permitted to marry under the rule of Sharia, their marriage would not stand annulled on that score alone. The Hindu members were opposed to that clause. The government announced that the issue being religious, the official members would remain neutral. In such an event that particular clause could not have won approval.

Syed Ghulam Bheek Nairang with some other Muslim members came to see me to suggest that I should make an attempt to get the stand of the government changed. I told him I was willing but the point deserving attention is that this particular issue was an offshoot of a bigger, and mistaken, issue that apostasy was punishable with death and where that penalty could not be invoked the civil rights of the apostate lapse. It is transparently clear from the Quranic text, I said, that apostasy is a despicable moral and spiritual act that arouses Divine wrath. But if apostasy is restricted to change in faith alone and is not accompanied by any other offence there is no corporal punishment for it. Quite a few verses of the Holy Quran bear it out. "On that ground" I said, "I may try to secure the official support for the particular clause and succeed but there are some among you, Mulana Zafar Ali Khan for instance, who believe that punishment for apostasy is death and apostasy necessarily implies annulment of marriage. It may, therefore, happen that after securing official approval, some

April. From England I had written to her that I would be arriving in Delhi on the evening of April 1, stay there for 12 days and then go to Qadian and she may also, if she so preferred, come over to Delhi. But if the fatigue of the journey bothered her, we would meet at Qadian on the 13th of April.

The train was late in reaching Delhi. I was told that the mother had been waiting in the car. After caressing and praying she said how I could have ever imagined that she would wait for 12 days to see me. We were still in Delhi when she suffered high blood pressure. In those very days she dreamt a dream which cheered her up as if she had fully grasped its interpretation. She had seen the Founder of the Ahmadiyya movement sitting in a couch looking extremely happy. That also made her feel very happy and she spoke to him thus: "My lord may I press your feet if you don't mind. He moved to a side to make room for me to sit. As I sat there pressing his feet, I was still thinking about what should I request him to pray when he turned to speak to a person next to him and pointing towards me told him: 'Make her home commodious'. I woke up but the dream has cheered me up for all times to come".

The mother narrated her dream to the second successor to the Founder who said that it pointed towards the home in the heavens. We stayed on in Qadian for the second half of April where she would walk up to the mosque for prayers. The last Wednesday of April fell on the 27th and, if her dream was to be fulfilled that very year, the chief, she hoped, would lead her funeral prayers before leaving for Sind on a scheduled visit.

She would hear someone say "something was about to happen" and yet another person say "this time it is bound to happen". On the 30th of April- the day we were to depart from Qaidian- she complained of problem worsening. In the morning she had another dream in which the father told her she was extremely unwell. At Simla doctor diagnosed blood pressure as the real cause of the disease

was that her kidneys were not working efficiently. The very first night at Simla she dreamt that the father had brought a palakin for her.

Mother's illness grows serious: She felt weak but it caused little anxiety. She would get up for the *tahjjud* and other prayers on her own. On the sixth of May, I found her on a prayer mat. I reminded her that the doctor had advised her not to leave the bed but there she was. She said prayers did not trouble her. At sunset she seemed to be slipping into a coma. As I pressed her, she regained consciousness and talked to me.

Mother's illness and treatment by Dr. Latif: On May 7, feeling very weak, she said that if Dr.Latif were to be around, she would have recovered quicker. Instantly I called Dr. Latif and he was in Simla the next day to her delight. Dr. Latif advised that her heart was under great stress because of the high altitude. He would take her to Delhi and keep her in his house for he must remain by her side all the time to adjust the medicines to the changing blood pressure. He assured the mother that all her problems would be soon over. Amtul Hye's mother insisted that she must go with her. By the evening we were all in Kalka where I begged leave of her, she stood up and kissed me on the forehead. The doctor told her to lie down at once. The mother's calm reply was there would be plenty of time to lie down "but I may or may not see Zafrulla again." Some days later I was informed that her heart fluttered but she was conscious and talking still I should reach Delhi soonest possible. The engagements at Simla were such that I could not leave till late in the afternoon. I sent telegrams to my three brothers and sister to reach Delhi.

On Saturday 14 May she told me to have a parting conversation, "Call over your brothers and sisters", and went on, "everyone has to witness this moment. The children suffer pain when their parents depart. But I submit to Allah's command and beg leave of you, I happily go before Him, refrain from wailing." Then she whispered into my ear and one by one caressed her sons. Likewise she

bade farewell to her daughters-in-law and all others around. She consoled an overwhelmed-with-grief Ghulam Nabi and then turned to me to say "son, if he ever commits a wrong, recall this moment and forgive him." She turned to Shakrulla Khan's wife to ask whether she had brought her small box containing her coffin sheets. Zainab Bibi (Shakurullah's wife) said she didn't know that the box was in Daska.

Departure for Qadian: I told the mother that I was taking her to Qadian. That made her very happy. By the evening train we left for Qadian. Her weakness kept growing and some time she felt restive. Late at night seeing me and Asadulla by her bedside she said "sons, go and sleep." That was the last sentence she uttered. The doctors had given up, treatment was stopped but the mother's motherhood still worried about the comfort of her sons. I was alone with her when she answered my whisper with a "Jeo Puttar" (long live my son). I said she had said nothing to me. She said she hadn't to anyone else either. I said "others are only sons, between you and me is a relationship of *Ishq* – devotional affection." She said: "yes".

That was a night of unusual feeling. Medically, the connection between the body and soul was coming to an end but her soul was prostrate before the Maker beseeching that it was not beyond His mercy to keep them together till the hour she reaches the "soil of splendour and blessings". The train was running fast bringing us closer to Qadian every passing moment to witness:

مرا عہد یست با جاناں کہ تا جاں در بدن دارم
ہوا داریٔ کوئش را بجانِ خویشتن دارم

[I am committed to my Master not to let my soul leave my body till I am in His court]

Sept 1962 at the UN when President Ayub Khan
Addressed the General Assembly

Sept 1962 with Prime Minister Muhammad Ali Bogra just before Zafrullah Khan was elected as President of the UN Greneral Assembley.

With Gamal Abdel Nasser President of Egypt

With Quaid-e-Azam M A Jinnah at the swearing in ceremony as Pakistan's first Foreign Minister

With King Faisal of Saudi Arabia

Sir Muhammad Zafrulla Khan Calling on President Kennedy

1947-48 with Andrei Gromyko, Chief Soviet Delegate, at the United Nations.
Aga Shahi is in the middle

1947 Persuading Sir Khizar Hayat Tiwana to resign as Chief Minister of Punjab to make way for the Muslim League to form the Government

Mother's Death: We reached Qadian on Sunday 15 May at 9:45 in the morning. Thus was her soul gratified on having reached the destination she had craved for. By the hour of *Tahajjud* she had relapsed into a coma and she was set to board the palakin on her last journey. At 9 O'clock her soul was on the journey to meet her Creator. She was buried at mid-day.

The woman that we adored was no longer among us. Forever my eyes will look for her only not to find her. Deprived are we of her continuous prayers. But we gladly submit to the will of the Creator in the satisfaction that our mother had spent her life in obedience to the will of Allah seeking only His pleasure and that Allah will hold her in His unending care. We pray also for ourselves hoping that when the hour is nigh, He will have mercy on us too. When it is time for me to depart, Allah's grace will surely make it possible to cast my eye on that lovely visage and all my love and longing will stand rewarded just in one word "Baybay" (mother) and "Jeo puttar" (live long son) filling my heart with joy.

New Trade Agreement with England goes to the Assembly: The new trade agreement with England was placed before the Assembly in its 1939 session. The Congress being in the opposition had to oppose it. Sir Homi Modi told me that when he asked (Quaid-e-Azam) Mr. Jinnah about his opinion he got the same answer that he had earlier given to me in London. In turn Mr. Jinnah had asked Mr. Modi on which side was he going to vote. His reply was:

"Being president of the mill-owners' association, the members required me to vote against the agreement as it would benefit only the farmers of India who would get good price for large quantities of cotton exported. That would push up the price of cotton in India and, consequently, also of the cloth manufactured in the country. On the other hand, Lancashire cloth would sell cheaper because of the reduced duty on import. The Indian mill owners, thus, would be fighting on two fronts as the burden of the concession given to the farmers would also fall on them. My personal opinion, though, is that the

agreement is so balanced that the type of cloth that is manufactured in India would still sell in competition with Lancashire. Therefore, though the mill owners wish me to vote against this agreement, I would remain neutral and abstain from voting."

Mr. Modi said he had narrated all this to me so that I should know what his viewpoint was and what he had told Mr. Jinnah. Quaid-e-Azam was leader of the Independent Party and the decision of the Assembly depended on its standpoint. If it were to vote in favour of the agreement, opposition by the Congress would have been neutralised but if it were to stay neutral the Congress would have succeeded. The Congress understood well that the agreement was to the advantage of the country but it also believed that, whether the Assembly endorsed it or not, the government would implement it. Thus the country would reap the benefit of the agreement and the Congress also gain in political stature by voting against it.

The stand of Mr. Jinnah's was that the Congress was opposed to his Independent Party and the government was not supporting it either, therefore his party would support neither the Congress nor the government and, instead, abstain. He knew that notwithstanding the Assembly's decision, the agreement would be implemented. Thus, if by his remaining neutral the agreement was rejected, there was no hazard to the country of being deprived of its benefits. Such a situation arose only in assemblies where government felt compelled to resign if a decision went against it.

Speaking on the agreement in the Assembly, while Mr. Jinnah criticised some of its provisions, in display of his customary honesty he conceded that it was much better than the previous (Ottawa) agreement. About my humble self he had this to say: "Though for me to praise Zafrulla would be like a father applauding his own son, there should not be an iota of doubt that he had

discharged his duty in relation to the agreement in a perfect manner. While congratulating him, I fully endorse whatever the others had said about him."

The majority vote against the agreement was not approved by the Assembly but, as was generally expected, the government enforced it nevertheless. Some time after that when I went to Bombay Sir Parshotamdas Thakurdas invited me to lunch at Taj hotel. Also invited were the leading traders and industrialists of Bombay. In the welcome address referring to the trade agreement and their participation in the delegation he said: "Before agreeing to join the delegation, my colleague and I went over to see Zafrulla. The consultative role of the delegation in the course of negotiations exactly conformed in every detail to his elaborations in that meeting. It is not my impression alone but of all my companies."

Lord Linlithgo's distribution of portfolios afresh: On my return from England, Lord Linlithgo decided to redistribute the portfolios in the executive council. Trade, industry, public works and labour were assigned to me. The secretary of my new departments was Sir Andrew Clow and Mr. Saleh Akbar Haidri was joint secretary. When Sir Andrew became minister of the council Mr. Haidri became secretary. At my behest Mr. Haidri prepared a public works project which I was very keen should be completed but in 1939 my portfolio was again changed and the project never saw the light of the day as the War diverted attention and funds were also not forthcoming. Briefly, the project was that starting from the railway bridge for a stretch of almost six mile i.e. up to the point where the first canal issues forth from river Yamuna on its bank on the Delhi side should be so laid that in the flooding season the low-lying part of the city did not get inundated and, secondly, a beautiful park should be laid along the bank starting from the Red Fort up to the Old Fort, Humayun's tomb and other historical buildings. Besides ridding the area of stagnant water, a recreation ground would have been, thus, available to the residents of the capital. Though I suspected that the officials of the finance department might obstruct the project

for reasons of expense, I was hopeful that I would get approval of Sir James Grig and also of Sir Jeremy Ruisman's. But the economy in war stood in the way. I always had a feeling that though the government readily provided every amenity to the rich, the comfort and recreation of the common man received little attention.

Offer for Privy Council: At the end of 1938. the Viceroy mentioned to me that Sir Shadi Lal had resigned from the Privy Council and the Minister for India wanted to know whether I would like to go to London in his place. I told him that Findlay Stewart also had mentioned this possibility to me, and I was inclined to agree, but the failure of Mr. Paesman's mission to Czechoslovakia had made me believe that war was inevitable. I would not therefore like to go to London not because the impending war scared me for I would face no more hazard than others. The real attraction of that position for me was that living in London I would do my bit for India's constitutional progress and, secondly, for the provision of better facilities to the Indian students. Both were likely to be neglected in the event of war. Sitting pretty there doing nothing wasn't to my liking.

Viceroy: Good to hear that you are not interested. Mr. Jaykar is highly aggrieved that though Sir Tej Bahadur Sapru had earned the distinction of being a member of the Privy Council, he had been ignored. Your refusal would fulfil his desire and, besides, I would like you to succeed Sir N N Sarkar and be my colleague and minister of law till the end of my term.

Zafrulla: As a result of your direction, I shall have to hold on for one more year. Ordinarily, members gladly accept extension of six months or a year in their term because they do not intend to work anymore. Presently, I am 45 years' old after finishing my duty here, I must resume law practice. Longer it takes more bothersome would

it be for me. But valuing the trust you repose in me, I am ready to comply with your orders.

Sir Rama Swami Mudliar's appointment as member trade: That very day Sir James Grig asked me whether the Viceroy had spoken to me about my portfolio. I told him what the Viceroy had told me. His advice was that I should ask the Viceroy as to who would be the trade member in my place. Referring to the Viceroy's proposal about me I asked Sir Gilbert Laithwait whether the selection of the new trade member had been made. Sir Gilbert said the selection indeed had been made but the king's approval was delayed because he was in Scotland and the transmission of files took time. Sir Girja Shankar Vajpai had been named.

I told him that Sir Girja Shankar was my friend, he was secretary of my department and a very able man, but it would be better for him if he were to replace Sir Jigdesh Prasad for he had spent all his life in education department. His replacing Sir N N Sarkar would give rise to criticism. Sir Gilbert enquired why? Six posts of members, I said, are equally divided between the European and Indian members. The European Members, as a matter of course, are directly appointed from England – often from among the senior officers of the ICS. Two Indian members are chosen from non-official circles and one is taken from services. Presently, Sir N N Sarkar and myself are non-official members. Sir Jigdish Prasad is from the ICS. The public tends to view the selected Indian also as semi-European. Sir Girja Shankar's appointment in place of Sir N N Sarkar will be held out as an example of conservatism. This impression may or may not be justified but is there. If Sir Girja Shankar were to be appointed I would be the lone non-official Indian member of the council. The time demands that the India's share in the council is increased. The proposed appointment would further reduce it. From that standpoint my view is that his selection at this stage would be inappropriate.

Sir Gilbert said the matter had gone far and it would be better if I were to talk to the Viceroy. But yet another problem was that in the viceroy's view no other Indian was suitable for the job. I suggested that Sir Rama Swami Mudliar was suitable from every standpoint. "Sir Jagdish Parsad and Girja Shankar both are Brahmins from the UP, Sir Rama Swami is a non-Brahmin from Madras. From this angle also his selection would be appropriate." I said. Sir Gilbert said that presently he was member of the viceroy's council and not from India. That should be no hindrance, I said His experience in the council should add to his suitability and not detract from it. The post (of trade member) would fall vacant after six months. Till then he should keep working in the council.

Sir Gilbert said he would mention it to the Viceroy and so should I. Thus, whatever I had told Sir Gilbert, I told the Viceroy as well leaving out the "conservatism" part of his reputation. A week later viceroy's private secretary told me that a decision to appoint Sir Rama Swami in place of Sir N.N.Sarkar had been made and he would be member for trade.

Some days later, Sir Abdul Halim Ghaznvi came to Delhi and mentioned that Sir Girja Shankar Vajpai had told him that he would succeed Sir N.N.Sarkar and given the trade department; and the Minister for India too had approved his appointment and sent the papers to the Emperor. But then he learnt that, instead, Sir Rama Swami Mudliar had been appointed and he would be the member for trade. He could not say how the last – minute change took place. Sir Abdul Halim asked me whether I knew anything about it. I told him that sir Girja Shankar need not worry. He will surely take the place of Sir Jigdish Prasad but next year – late but better.

I had a very cordial working relationship with Kunwar Sir Jigdish Prasad. With the arrival of Sir Rama Swami the three of us were in a position to work in harmony. In April 1940, the arrival of Sir Girja Shankar Vajpai in place of Sir Jigdish Prasad made no difference to the three Indian members working in

unison. In 1939 when the Assembly was in session at Delhi, Kunwar Sir Jigdish Prasad who was a member of the council of state came to the session and asked me to accompany him for a while for he had something important to say. He looked greatly perturbed, in fact agitated.

As we sat down he said: "I have just been to see the Viceroy as a serious problem had arisen. In my department two senior posts- deputy director IMS and vice chairman of the imperial council of agriculture research were about to fall vacant. I had proposed the appointment of two Indians but the Viceroy insists on the appointment of Europeans against both posts. During the previous week in a meeting with the viceroy I had requested him to agree to at least one Indian. Failing that, I would be so embarrassed as not to be able to continue in the council. Having said that I came away. Today was again my meeting day. The Viceroy did not broach the subject nor I did. But in another unrelated matter the Viceroy observed that he was conscious that it should be quickly settled to enable me to chalk out my programme for the summer. It seems the Viceroy sticks to his viewpoint and I shall have to resign. What would you advice? The situation indeed, is very grim."

I said "Kunwar Sahib, you have been invariably discussing such matters with me, had you mentioned this one I would have given you appropriate advice to forestall the arising situation. Your viewpoint is correct. In fact my view is that Indians should be appointed against both jobs. The vice chairman of the agricultural research council since long has been an Indian. As the Viceroy himself is greatly interested in agriculture he should have been supporting the appointment of a suitable Indian. Today it cannot be said that such an Indian is not available. The deputy director general of the Indian Medical Service was also once an Indian. As a matter of policy the presence of an Indian in the central office of the service is desirable if not imperative and a number of Indians fit to hold this office are now available. Supporting your viewpoint I would have

certainly tendered an advice that would have persuaded the Viceroy and the question of your resignation would have not arisen."

Sir Jigdish Prasad: "In that I erred, what to do now?

Zafrulla: Even now I feel confident that you will not have to resign nor submit to the viceroy's order. The vice chairman of the council of agriculture, in any case, has to be an Indian even if the deputy director general of IMS is an Indian. You should not at all worry.

Sir Jigdish Prasad: But, my brother, you must tell me the reason how you feel so confident.

Zafrulla: Kunwar Sahib, the reason is that for an Indian member of the council to resign at this stage would be no ordinary matter and the Viceroy shall necessarily have to consult the Minister for India beforehand. And the minister would never agree to an uproar in the public and press here and in Britain on the point that an Indian member of the council had given up his membership because of the insistence of the Viceroy on the appointment of Europeans against the two posts while a number of suitable Indians were available. If, God forbid, if you feel compelled to resign to keep your word, I would write your statement which, when published, would make difficult for the Viceroy to stay on. It may not assure you but I am sure no occasion would arise for you to resign. Just wait patiently for a favourable outcome.

For a week I kept assuring him not to worry. The following week he came straight to me after seeing the Viceroy to congratulate me and told me that it had happened as I had predicted. The Viceroy had approved his proposal for the post of the vice chairman of the agricultural council.

Sir Abdur Rahim, president of the assembly: My portfolio was changed in May 1939. I took over charge of the law department from Sir N. N. Sarkar. Being the senior member, supervision of the administrative affairs of the Assembly and its programme was also entrusted to me. The president of the Assembly, Sir Abdur Rahim, was a very able, experienced, dignified and widely respected man. I would treat him as an elder and he, too, would hold me in great affection. Mr. Dutt was the vice president. He was a member of the Congress party. The party for some reason must have thought it expedient to select him for the post though in its ranks the party had many others far more experienced, abler and wiser than him. In a session at Simla a vote was called when Mr. Dutt was presiding. Having called the vote, he vacated the president's chair and ran to follow the members of his party to the lobby and then ran back to occupy the presidential chair to announce the result of the count. Being a large and fat man, his running in panic to the lobby and then dashing back to the rostrum was a sight so ridiculous as to send the whole house in peals of laughter. I raised an objection that anyone presiding over the session could not take part in the vote. But he was so happy and pleased on his cleverness that he laughed it away. The members of the Assembly greatly respected the president, fully cooperated with him and the president, in turn, conducted himself with such poise and dignity that never any untoward situation arose in the sessions.

In my time Sir George Simpson was the secretary of the law department, Mr. Shive Lal was deputy secretary. Solicitor was a Bengali lawyer. All three were very able. The solicitor completed the term of his service in my time but I so valued his straight, honest advice that I recommended him for re-employment and also for knighthood. Both recommendations were approved. After completing his term in the government he was appointed law adviser to the high commission in London. As the federal court came into being, an advocate general was also appointed. He was Sir B.N. Mitra who was law member before Sir N.N.Sarkar. I was on very friendly terms with him. Even in the presence of

the advocate general, the government of India would also some time call for the advice of the law department. During the days I was the law member I received a few cases for advice which should be of interest.

Legal advice as law minister on a matter relating to the state of Mysore: After the East India Company aided by some quislings had routed the armies of Sultan Tipu Shaheed at Seringapatam to establish its hegemony over the kingdom of Mysore its administration was handed back to the former Hindu ruler. The company's agreement with the Maharaja contained a clause that if the British government ever proposed to establish a new cantonment, or to expand an existing one, the land will be made available free of cost. Later, whenever such an occasion arose the state habitually demanded compensation for the third parties on the plea that the state surrendering its right to compensation could not have denied the same right of private land owners. The government of India's reply always was that it was for the state to pay compensation to the private owners. The state kept paying but never accepted the Indian government's interpretation of the agreement and kept protesting. For the last time, this question came under consideration during Lord Curzon's tenure. The political secretary after reproducing the contentions of the parties in a detached note gave his opinion which ended with the following sentence:

"In short though there is something to be said on the other side, I am of the view that the language of the articles favours our stand."

When the file was put up to the viceroy, Lord Curzon, he recorded the following order in red ink:

"I agree except that there is nothing to be said on the other side."

The state raised the same old question when another opportunity arose. When the file came up to me for legal advice I gave my opinion without hesitating a wee bit that the standpoint of the state was correct. The responsibility

of the state was to provide land free of cost. The state had done that and was not demanding any compensation. But over the area acquired third persons had rights and they were entitled to compensation. The agreement did not stipulate that the state shall have to pay compensation for acquiring the third-party rights and then transfer them to the British government. The Viceroy endorsed my opinion and thus, was settled this long-standing contentious issue in the light of justice and fairplay.

Legal advice in a matter of Baroda state as law minister: The coastal state of Baroda was authorised to impose a levy on the goods landing at any of it ports. Sometimes the same goods were traded to British India on which the government of India would also impose a levy. Such goods were, thus, taxed both by the state and the Indian government. Finally, when Sir James Grig was the finance member it was decided that the state should bring its levy at par with India's and the goods that entered India after paying the state levy, the state administration would pay the assessed amount to the government of India. In the event of a dispute, it would be resolved between the two governments in the light of an agreed rule, the goods or the traders will not be detained at the borders of British India nor any questions will be asked. The state started acting on the agreed formula from the date specified but the problems kept arising. The state lodged a complaint. Mr. Sled, a member of the central finance department, wrote a long scholarly note holding that the agreement did not have the force of the law of the land, and till its provisions were incorporated in the legal code it would not be binding.

As the file came to the law department for advice I wrote: "It was our responsibility to give legal cover to the agreed provisions. Having neglected that responsibility, it did not entitle us to exploit the default to our advantage in the sense that while the other side fulfils the responsibilities stipulated in the agreement we, on our part, avoid them. It is our duty to comply with the terms of

the agreement and the officials concerned should be directed to do so." It was so done.

The Minister for India's uncalled for support to a British officer: A British executive engineer of the Central Provinces demanded compensation from the provincial government on the ground that his promotion had been adversely affected by the abolition of the three posts of superintending engineers in the province. After reviewing the whole situation the provincial government ruled that since the officer stood no chance of promotion even if all the three posts were to remain, he deserved no compensation. The concerned officer appealed to the Indian government. Even there the concerned department agreed with the provincial government. The file then came to the law department for advice. Agreeing, we held that the burden of compensation did not lie on the government. The applicant appealed to the Minister for India who ruled that in the opinion of his law advisers the demand for compensation was justified and should be paid. On return the file came back to us for information. I wrote: "We stand informed, but still maintain that our view is correct and opinion of the Minister for India's advisers is flawed. But the minister's order must prevail and why it should not as a Punjabi proverb says:

رب نے دِتیاں گاجراں تے وِچے رَنبا رکھ

[God has given carrots, keep your scythe in the crop to mow].

The next day Sir George Spence who was secretary of the law department asked me the meaning of the Punjabi proverb that I had quoted in my note: I said he must have heard of the English proverb "make hay while sun shines." The Punjabi proverb conveys the same sense but more eloquently.

Pundit Javahar Lal Nerhu's cognizable speech and my advice: Pundit Nehru made a speech at Banaras which was viewed to have inflamed passions against the government. It was proposed to launch a criminal prosecution against him. The home ministry sent the file for advice to the law department. The deputy secretary, solicitor and the secretary all three were in agreement that the speech attracted the punitive provisions of the law and in the event of trial, very likely, would lead to conviction. I wrote on the file that though I agreed with them from the viewpoint of law but as a member of the government my advice would be not to prosecute Pundit Nehru. Parts of his speech obviously infringed the law but the essence of the speech was that delay in granting independence to India would be an unbearable injustice and tyranny. Everyone may not agree with that standpoint but every citizen surely sympathises with the goal. Prosecuted, he would earn the sympathy of one and all -- and maybe it was the intention of Pundit Nehru that the government should prosecute him so that the Congress movement earns the sympathy of the public. The home member, Sir Reginald Maxwell, accepted the advice. No case was instituted.

Trying for a lighter punishment for the accused: The mercy petitions of convicted criminals addressed to the governor general used to be received in the home ministry and directly passed on to the law member for his opinion. If the member was of the view that the petition merited rejection, the matter rested there. But if the law member recommended reduction in sentence or outright pardon, the home member would give his opinion. If both held the same view the file would go to the governor general who would ordinarily go by the agreed advice. However, if the home member disagreed with the law member, the file would go back to the latter for his view on the note of the home member before it was submitted to the governor general who in such a situation would ordinarily reject the petition. In my tenure as law member every month, on the average, I would recommend reduction in sentence on three or four petitions and the home

member rarely differed. Occasionally, I would also recommend full remission of the sentence. The home member still wouldn't differ. Most petitions for mercy in death sentence for murder were received from Madras province. Punjab came next followed by UP.

The principle that I followed from the very beginning was that if there was at all some room, the death sentence should be commuted to life imprisonment. The life imprisonment implied 14 years in jail or transportation for life. For good conduct, it was further reduced by one and a half years. Yet another principle that weighed with me was that where a convict was not hanged for more than a year after the sentence was confirmed there was reason enough for remission as it would be unfair to hang a person who had suffered the trauma of impending death for that long.

Against this view of mine the chief justices of Allahabad and Lahore high courts lodged a protest with the Viceroy who passed their letters on to me. In reply I wrote: "I am sorry it did not occur to the honourable chief justices that the remedy for the delay lay with them. If final order in death cases were to be passed within a year of the award of sentence, such an eventuality would not arise. Drawing their attention to it, the viceroy might like to advise the chief justices to find a solution for undue delays in the disposal of death appeals in their courts."

The chief justice of Lahore high court, Sir Donglas Young, once mentioned to me that Bakhshi Tek Chand had told him that I had commuted the death sentence of one such convict to three years whereas he had rejected his appeal after giving it a deep thought. I asked the chief justice to peruse the relevant file. If he found himself in agreement with the judgment, I would admit I was wrong. I imagine he must have so done and felt satisfied that if he were to

hear the appeal, instead of Mr. Bakhshi, he wouldn't have awarded a sentence of more than two or three years.

On yet another occasion chief justice told me: "Zafrulla, I do not ever have any feeling of remorse on commuting a death sentence for the evidence led is usually so unsatisfactory that it is hard for me to make out what actually had happened. I therefore hesitate a great deal before confirming death sentence. But when you outright recommend remission, the judges get perturbed as from such a recommendation it can be inferred that the judges had not discharged their duty faithfully. They, therefore, desire that an opportunity should be given to them before hand to give their reasons in support of their judgments."

I said the demand of the judges was justified and if such a situation arose in the future, I would act likewise. I had no urge to question the judgments of the superior courts realising fully that my position was not that of a court of appeal. For instance, it is for the court to weigh the evidence and no concern of a ministry. But where an established rule is blatantly violated or the evidence is altogether ignored or wasn't a part of the record or the evidence was based on an assumption which was not on record but arose from some misunderstanding or it was merely assumed that the evidence was on the record or to close eyes to any other element that cried out for attention would amount to stifling justice. In such like situations, notwithstanding the respect due to the honourable judges, to form an opinion and to reach a conclusion was a part of my duty and evading it, in my view, would be an act of dishonesty.

I also came across a few judgments that made me wonder how incredibly naïve some people can be. Here is one. The judicial commissioners of a province heard two appeals in a case in which two accused were convicted for murder. One of them had confessed having committed the crime. On the basis of his

confession and some other corroborating evidence, the judicial commissioners in their judgment first considered the culpability of the accused who had not confessed and held that the confession of a confessing accused under the Evidence Act can be used against the second accused. Considered with the corroborating evidence, the commission of the crime by the second accused stood proved. His appeal was therefore dismissed. The commissioners then took up the case of the accused who had confessed and held that his confession was not admissible, his appeal was upheld and he was acquitted. If confession was not admissible against the accused making the confession, how it could be admissible against the accused who had not confessed?

If I were to be on the position of court of appeal, it would have posed no problem. Relying on the premise on which the judicial commissioners had acquitted the confessing accused, I would have acquitted the second accused as well on the ground that the confession could not be used against him. But since I was not sitting as an appellate court, on a careful perusal of the record I came to the conclusion that the offence was proved against both the accused because, to my way of reasoning, the confession was an admissible piece of evidence and the judicial commissioners had erred in rejecting it. But to rectify the wrong was not my responsibility nor was possible. On the other hand, it was not the demand of justice that if one accused had escaped punishment because of the fault of the court, the second accused must also necessarily benefit by it. To do that would have been not only unjust but patently wrong. After fully recounting in my note the dilemma facing me, I could only recommend that the petitioner's death sentence should be commuted to life imprisonment which was accepted.

I was temperamentally so inclined that one should be lenient where there was a room to be lenient. Years later I came upon a *hadith* of the Holy Prophet (blessings of Allah upon him) that, as far as it can be helped, save the people

from the visitation of *hadd* (extreme sentence) and wherever possible look for a way to give them relief for it is better that a guilty person escapes punishment rather than an innocent person is punished.

Reading that I was gratified that Allah Almighty had given me an opportunity to try to act upon that directive and, at the same time, gave rise to a feeling of remorse that were I to be aware of that directive beforehand I would have looked for more occasions to be considerate.

Assumption of charge of supply department on the outbreak of the Second World War: In 1939, as the Second World War broke out, the Viceroy created a new department of supply and put it under my charge, greatly adding to my duties. A war supply council was also formed on which were represented all the British territories and colonies to the south and east of the Shez canal. The Viceroy was the president of the council and I was the chairman. The supply department fast expanded. Its activities gave a great boost to India's trade and industry putting it on the path of rapid economic development. The war material and other commodities that India supplied during the war were enough not only to pay off all the debt India owed it put Britain under a debt of two billion pounds.

General Wood was the first director general of the supply department and Sir Hugh its first secretary. And when he was promoted governor, Sir Evan Jenkins succeeded him. He was a very able officer having no interest other than official work. Being a bachelor he was free of all family worries. He would sit late in office. Having done his own work, he would go to the offices of the joint secretary and deputy secretary to pick up files from their desks and put back after passing orders. The next day the concerned officials would turn up only to wonder that the file that they had not even seen carried the orders of the

secretary. Since I was also inclined not to put off till tomorrow what could be done that very day, I got along extremely well with a workaholic like Sir Evan. His notes on file were so comprehensive and explicit that hardly a need arose for me to look at any other paper (later Sir Evan became governor of Punjab).

As the work of the department grew, an engineering directorate was established at Calcutta. Sir Guthery Russell who was the chief commissioner of railways with me was appointed director general.

***Journey to London to attend the dominion ministers' conference*:** Toward the end of October, 1939 the Viceroy talked to me about a conference of the dominion ministers that prime minister Neville Chamberlain was proposing to convene and to which a delegate from India was also being invited. The viceroy wished me to represent India in the conference. But since it was war time and departments were overburdened and, to boot, officials were short in number, it would be difficult to send one with me. The India Office would provide the consultative services, and I may select only a private secretary if I could find someone willing who was also of some use. He thought, though, no one would be coming forth because of the dangers of the war.

Chaudhry Anwar Ahmad Kahlon, a youngster known to me, readily agreed. The travel to England in those days was by flying boats. The nearest point from which the boat flew was in the vicinity of Gawaliar. We went there by rail, stayed at the residency and took the next scheduled flight. Flying by the same boat was Mr. Richard Casey, finance minister of Australia (later Lord Casey, Governor General of Australia). From Gawaliar we went to Karachi and, after overnight stay, flew to Basra via Bahrain for another night's stay to reach Sikandria on the third day.

For the remaining onward journey, the day-light hours were shorter and because of the war flying before sunrise and after sunset was prohibited. Leaving Sikandria, we landed at Corfu, stayed the night there and reached Marseilles the next day. There, as we sat down to dinner in a hotel, Mr. Casey walked up to our table to say that the British Counsel had conveyed to him an advice from his government that he should not take a flight to London and, instead, travel by train to Paris and onward to London. The consul had booked berth in a train for him and he could do the same for two of us if we so wished. The Australian government, he told us, had wired a message to the British ministry of navy that for the air journey from Marseilles to London it should take hundred per cent responsibility for his and his colleague's safety. The reply was that in time of war the ministry could not assume even one per cent responsibility for anyone. On being told that the flight as scheduled would go to Southampton we decided to go by the flying boat. The a next day the boat flew along the French-Spanish border only to change the course back to Marseille because of engine defect. The engine set right we were on the way again to reach Southampton at four in the afternoon.

There, for the first time, we experienced first-hand the restrictions of war. From the port to the station a small, rattling car took us to the railway station. An old porter took charge of our baggage and inquired about our destination. Told, it was London, I gave two shillings to him. Thanking us he disappeared with the baggage. By the time we got to the station it was dark with not a ray of light. By the time the first train, not bound for London, came it was pitch dark. The second was also headed elsewhere. The third was bound for London and in darkness I forced my way into one compartment and my secretary Anwar in another. Leaving Southampton at about 6:30 the slow-moving train reached Waterloo at 10:30. There in faint light Anwar wondered about the baggage. I told him to go to the compartment next to the engine to pick it up. He

thought I was kidding but he went nevertheless and came back carrying both suitcases.

In the meantime, Col Crankshaw came and apologised for the great inconvenience we must have suffered. I assured him there was none worth mentioning. From Waterloo an official car took us to Grosvenor House through deserted streets in pitch dark. London wore the look of a graveyard with not a flicker of light. Occasionally someone was seen finding his way with a torch light. Inside, the hotel was brightly lit up and crowded. As we landed in our room, Col Crankshaw observing that we couldn't have got anything to eat. It was 11 O'clock but in no time a lavish meal was served. In those days all food items were easily available but not fresh-laid eggs. Though the war was on, Germany had made no advance after occupying Poland. An official Daimler car was put at our disposal. Arrangements for the conference were as well made as in peace time.

Some delegates to the dominion ministers conference:Mr. Casey and his companions travelled overnight from Marseilles to Paris. He had to mark time there till the next evening for travel was allowed only at night time. He made it in time for the prime minister's lunch. Mr. Carier represented Canada and Mr. Peter Frazer, prime minister, New Zealand. He was an amiable man. Soon we became friends. He told me that he had been to India Office to see the minister to ask him what, possibly, could be hindering the independence of India.

Representing South Africa was Col Rates, a veteran of the Boer War, who soon thereafter came to London as high commissioner and decided to stay on. However, Gen Smutts persuaded him to return. His book titled "Commando" recounting experiences of the Boer War earned great popularity. Later, he authored another book called "Outspan". He presented to me a copy of each. Whenever a photo-opportunity presented itself, I posed with him hand-in-hand teasing him that he wouldn't be able to show his face to his countrymen. He would dismiss it with a "nonsense". One day I suggested to him that he should

send his both sons to India for a year as our guests and on return their proposals about the rights of the Indian people should be adopted. He thought the proposal reasonable and he would consult his sons. However, he died before the war ended.

At the outbreak of the war the post of First Lord of Admiralty was offered to Mr. Churchill which he accepted. He invited the conference delegates to dinner at the Admiralty House. He took the delegates to the map room and explained in detail the arrangements made for the defence of Britain's merchant fleet. When he asked Col. Rates his impression, he replied: "How lucky that as you ran from Lady Smith, one of us did not gun you down". (Captured during the Boer war, he had escaped from prison to rejoin his unit). Greatly amused, Mr. Churchill then asked about my opinion. I said it was "reassuring". Amused, he said "yes that is the word – reassuring".

Delegates visit the West European front during the conference: The programme of the conference did not stipulate a visit to the western war front. Col Rates insisted that it should be arranged for having been summoned from four corners of the world, we must not go back without visiting the front. My sons would make my life hell and say "Daddy you flunked it". I wouldn't be able to face them. Finally, it was decided that Mr. Eden then secretary of dominions, would take the delegates to the front.

Before going to the front we went to Paris and met prime minister Deladere. The headquarter of the allied forces was situated outside Paris where the commander-in-chief hosted a lunch for us. Inside the hand-written menu card of every guest was the map of the country he represented. To keep a memento all of us signed each other's card.

In Paris we stayed at Hotel Carillion. On the very first night air-raid alarm was sounded. Instead of rushing to the basement for shelter believing that whatever happens must also happen below – "here I lie in the comfort of bed, there I will be shivering amid casks of liquor" – I turned over and dozed into

slumber. In the morning at breakfast, Mr. Eden was made a butt of jokes for running downstairs in panic in his night clothes without bothering to wear even his dressing gown. His appearance embarrassed the women folk and he was teased for doing that by design. The streets of Paris, unlike London's, were not pitch dark, lamps were dimmed but still one could see one's way through.

Maginot Line: We also made a trip to the Western Front in the south of France. Most interesting was the system of Maginot Line. The fortress commander pinned the Maginot badge on the chest of each delegate. It was a copper medal with *en ne passepas* (they must not be allowed to cross) engraved on the edges. The Maginot Line's system was amazing to the extreme. Looking at the underground fortifications one was convinced that it would be impossible for anyone to breach them. From inside the tunnel-like barrels, huge guns surveyed the valleys. The shells were loaded in guns not by hand but by electrically – propelled trolleys. In short the art of defence there was a feat beyond belief.

We spent the last day in the British part of the Western Front. In those days the younger brother of the King Emperor, Duke of Glouscester, was the liaison officer of the commander-in-chief. He remained with us the whole day long. Each one of us had about half an hour in his car. When my turn came, he was seemingly tired driving the whole day long. The weather also was unpleasant and all his attention was devoted to keeping the car under control. Our conversation, thus, did not centre on any particular topic. As the city approached, he enquired from his orderly sitting in the back seat about the next programme. He submitted that the Mayor of the city was holding a reception followed by dinner and concert. But he may not go to the concert. His Royal Highness observed: "what I say is damn the concert". I did not say it in so many words but fully endorsed his frank expression of aversion and applauded him. I felt relieved that if the presence of His Royal Highness at the concert was not

necessary, it should not be for this humble being either. For me, it is prayer after dinner and then the bed.

On return to London, I called on Mr. Findlay Stewart. He asked me about the impressions of my visit to the war front. The Maginot Line, I told him, "was undoubtedly, a marvel of defence. But looking at the Line, though I have not the remotest connection with the art of defence and war, three thoughts crossed my mind. First, however strong and impregnable the defence line, it cannot defeat the enemy. Secondly, the Maginot Line starting from France's border with Switzerland ends at the Belgian border. It doesn't go up to the sea. If, as in the First World War, the German armies while passing through Belgium were to make a thrust into France, how could the Line check their advance? Thirdly, it cannot deter air raids".

Sir Findlay Stewart then wanted to hear my impressions of the British front. I told him I had seen no movement in the British part of the front. "The troops there were all sitting back, may be indulging in some other pursuits while waiting for the Germans."

His Majesty the King hosted a dinner for the delegates. The invitees were advised to come in plane dinner jacket. In Delhi the Viceroy also invited me to dinner. The dress instructions were similar though the occasion was informal. The hosts were the Viceroy and Lady Linlithgo. I was the only guest. The Viceroy kept hearing the proceedings of the conference from me. In recounting His Majesty's formal dinner I made a deliberate mention that His Majesty himself wore a plane dinner jacket and the guests were also advised to dress likewise. As I said this, the Viceroy raised his eyebrows in amazement.

***Lord Cato*:** During the Conference I met Lord Cato who at one time headed Andrewl and Co – India's biggest trading firm with head office in Calcutta. In 1939 when he was adviser to the chancellor of exchequer for war services, I asked him what was his actual job. Smilingly he said: "Zafrulla, in

matters of finance I am like private chaplain to the Archbishop of Canterbury and my job is to advise him how should be squeeze money out of men like me".

Later Lord Cato became governor of the Bank of England. On visits to London I would always go to see him. At that time the War was at its peak and consumption of various food items was restricted – some under the law and others because of the shortage or cost. A meal in the Bank, nevertheless, was always delicious and plenty. After lunch the governor would invariably come down with me to the garage and instructed the chauffer to take me wherever I wanted to go.

After the partition of India, Anwar stayed on at his job in Calcutta. At one time in 1948, the living conditions there became very critical for Muslims. I was in London for a few days when Lord Cato told me that he was worried about Anwar as even Europeans there felt unsafe. He wanted to call him over to London head office to go back when conditions in Calcutta improved.

Instructions to represent India in the League of Nations: I was still in England when the Viceroy told me that at the request of Finland a meeting of the League of Nations was being called at Geneva. The time not being enough, I was advised to put together a delegation, consult the India Office and leave for Geneva to represent India. I consulted Sir Finlay Stewart who told me to work out the details with Mr. Tomkinsons, incharge of the League of Nations' affairs in the India Office who would accompany me to Geneva as secretary of the delegation. Finland had complained of aggression against Russia, Sir Finlay said, and Britain obviously sympathised with Finland. Seeing the trend of discussions I should consult him if necessary.

Mr. Tomkinsons turned out to be a resourceful man with poise. The deliberations in the ministers' conference concluded by November end. The departure for Geneva was to be after four or five days. I asked Col. Crankshaw as to for how long more could we enjoy the hospitality of the British government. He said since war was on and arrangements for the return journey must take time

we would be official guests. I told him that as I would go on to India after attending a session of the League of Nations at Geneva, whether it could be arranged for me to go out of London for the days available. He provided a car and coupons for fuel till I left for Geneva. "Playing host to you", be said, "is very easy, you make no demand". That was his courtesy. I was well aware of stringent control on petrol.

Participation in the meeting of the League of Nations: For journey to Geneva Mr. Tomkinson had made necessary bookings and repeated for the second day in case we could not travel on the first day. His far-sightedness saved us a good deal of bother. As we arrived at the airport we were told that the flight to Paris was cancelled because of clouds as the war regulation required that aircraft must remain visible from the ground all the time for identification. The next day we reached Paris at two in the afternoon and Geneva the following morning by rail. After London and Paris, Geneva seemed bustling and the view of the lake was fascinating. After a month of darkness in London, Geneva lights were ever so welcome. Staying at a hotel nearby was the former Punjab Governor, Sir Herbert Emerson, at that time the League of Nations' refugee commissioner. He invited me over to dinner. Old memories, some sour, came back. Staying at the same hotel was Mr. Jordan, New Zealand's high commissioner in London who had come to represent his country in the assembly. Going to the session and coming back we would pick him up and thus became friendly. He was a very good man. He was police constable in London. Migrating to New Zealand he became a member of the parliament. Later, as I went to see him in his office in Strand, London, he led me to a window and pointing to the street said "look at the constable standing there, once I use to stand there".

During the assembly session I met Mr. R.A. Butler, then Britain's deputy foreign minister, leading his country's delegation. His father Sir Mantagu Butler was in the Indian Civil Service posted in Punjab. Mr. R.A. Butler was born in

Attock Fort when his father was deputy commissioner there. Sir Mantagu was the first president of the Punjab Council and later was the governor of UP and Burma.

Recommendations of the assembly of the League of Nations: After deliberating on the protest of Finland, the council of the League recommended Germany's expulsion. Most speeches were in support but subdued for fear of retaliation by Russia. All European nations were afraid of Hitler and wary of hurting his sensibilities. I was surprised and even upset on such a state of affairs and told Mr. Butler that I must speak plainly. He said "for Heaven's sake you must for we dare not". On my turn, I began by drawing a comparison between the politics, culture and social norms of Finland and Russia and strongly supported the resolution and concluded by urging the audience to "unammously raise a voice against every kind of wrong and take steps to prevent it. "If we don't, all of us, will be crushed one after the other and the flame of civilization and morality will be extinguished for centuries to come," I concluded.

The president of the assembly Mr. Hembro, representing Norway, looked scared by my unrestrained warning. He could not stop me but as I finished he told the interpreter that, under the rules, it wouldn't be necessary to translate the speech in full – a summary should suffice. The proposal of the council was approved and Russia was expelled from the League of Nations. Sir Aga Khan later told me that the Swiss delegate told him that in the whole session the only speech worth its while was that of the delegate from India. It so happened that Norway was the first victim of the Nazi army as it ventured out.

In 1947 when I went to the UN for the first time as a delegate from Pakistan to attend the General Assembly session at New York, I was standing in the reception lounge of Barclay Hotel (where the delegation was putting up) when in came Mr. Hembro, representative of Norway. I stepped forward to greet him and said I owed an apology to him for causing embarrassment to him eight

years ago at Geneva. He said "never mind those were unusual times and what you said was wholly appropriate".

Geneva assignment over, Mr. Tomkinsons went back to London and I left for Marseilles to take a flying boat to Delhi.

***Second term in the Viceroy's council*:** Towards the end of February, the Viceroy wrote to inform me that he was proposing to recommend to His Majesty the king my appointment in the viceroy's council for a second term and whether I would have any objection. I wrote back to thank him and convey my hearty agreement. An order with the approval of His Majesty followed. In the British domain it was the very first instance of appointment in the viceroy's council for the second time.

Some dreams of the imam about the war:In 1940 Ahmadiyya Imam narrated to me his dream of previous August in which he saw me sitting in a chair and a man standing behind me presenting some important documents relating to the war. In one document Britain invites France to join hands to become one country under one government to wage the war. As I woke up I had a feeling as if Britain would get weaker sooner than France as such an invitation ordinarily came from the weak to the strong. Hitler's armies were then on the move. Mr. Churchill became the prime minister. France stumbled. The situation was extremely critical. Mr. Churchill invited the French prime minister for waging the war as one nation and one country which had no precedence in the history of warfare. I wrote to the Imam that his dream had literally come to pass. In reply he wrote: "In a dream he heard some one say that America had sent 2800 aircraft to Britain". After some days, Sir Andrew Clough hosted a dinner for the members of the governments as every government did by turn once in a fortnight. On that day Reuter creeded a story from America that an order that a French purchase mission had placed for fighter planes had been taken over by a British

mission and, thus, 2500 fighter planes would be available to Britain. Later, the number was raised to 2800.

As the news of Churchill's offer to France (about fighting the war as one nation, one country) broke out, the Viceroy asked me about my reaction. I said it was not practicable as France was in such a state of disarray that it was unlikely to be accepted. "Nevertheless, I submitted, "it was very assuring as Mr. Churchill who so far has been opposing independence to India now under pressure of the events may feel inclined to concede. "How"? the Viceroy queried and I went on: "It is evident from the contents of the offer. It couldn't be his (Churchill's) intention that if Britain and France were to become one country, India would become their common possession and a French politician or statesman might succeed you as Viceroy of India. Gone are the days when India was viewed as Britain's personal property". The Viceroy just uttered "how ingenious" and fell silent.

Mention of Imam's dream to the Viceroy:I mentioned the dream of the Imam to the Viceroy in the background of the British offer which greatly interested him. After that he would often ask me whether the Imam had dreamt some thing concerning the war. The Viceroy was delighted when the British launched an offensive in North Africa. He said "after all there is a news of Victory." I said a retreat would follow and there would be more advances and reverses before the final victory. He asked whether the Imam had dreamt about it. I narrated to him a dream which was later borne out by events.

In April 1940, Sir Girja Shankar Vajpai succeeded Kunwar Jigdish Prasad as member of the executive council. He and Sir Ramaswami Mudliar fully cooperated with me.

In June 1940 as Germany occupied France, it was a common belief that Britain alone wouldn't be able to withstand the German assault. Even Gandhiji went on record to say that he held Hitler responsible for the war and prayed for victory to the British. But after a few weeks when a hope arose that Britain

would keep fighting, Gandhiji and the Congress went back to the theme that war was none of their concern as India had been dragged into the war against their wishes.

The budget debate in the in the Assembly and my standpoint as leader of the house:In November 1940 the finance member, Sir Jeremy Raisman presented the budget estimates in the assembly. In the debate the emphasis mostly was on the point that it was not binding on the Indians to cooperate in the war effort. The finance member spoke to me to say that the debate on the budget had little to do with budget. It centered on politics and he replied as leader of the house.

Agreeing with him I said: "Out of a number of issues raised in the debate I would first take up those on which all of us agree in principle. Of foremost importance is the question of independence to India and everybody agrees it should be soonest possible. The difference is only on the procedure and speed.

"You would also agree that for us to be free, Germany must be defeated. If Britain is forced to lay down arms India's independence will be put on long hold. The raiment for freedom is all stitched up. It is now left to us to try and also to pray for an early day when India would put it on in honour and pride".

Speaking in this strain on behalf of the government, I expressed full support for the equality of citizens, economic autonomy and social welfare and some other major objectives. On the other hand through arguments and by relying on the statements of the Congress leaders, I tried to expose the hollowness of the party's stance.

In the course of the debate, Nawab of Dera spoke to me about the Congress members reinforcing their arguments by reciting mantras, should we then also draw on the Quranic verses? I said we must and went on to quote the authority of the Holy Quran in support of every point I made. As I concluded my speech Maulana Zafar Ali Khan rose from his seat, came up to me greatly excited

and said: "Today you have conveyed the Islamic teachings in a manner as they should have been".

The publicity department of the government, without my desire or even a hint of it, had a hundred thousand copies of the Urdu translation of my speech distributed. Thus, were publicised widely the Quranic injunctions on the issues under debate. After the speech, Mr. Sattya Murti who was deputy leader of the Congress party in the Assembly came up to me to ask whether any instructions had been received from Mr. Churchill about India's independence that had persuaded me to make such a categorical declaration of the government policy. I told him that I had received no instructions but it could be guessed from the speed at which Britain was bleeding that by the time the war ended, strength enough will not be left in the British arms to keep forcible hold on India. In any case, for the time being, he should be content to assume that as leader of the house I had spelled out the government policy in unambiguous terms and benefit by it in whatever he could.

My work load was increasing by the day. The war had added to the responsibilities of the Viceroy and the members of his council but expansion of the ministry of supplies was out of proportion. That department alone needed full attention and time of a minister. Alongside, the ministry of law, leadership of the assembly and advice to the Viceroy on constitutional matters all combined were proving to be an unbearable burden for me.

Diabetes: The demand on my time and attention in the first quarter of 1941 was so strenuous that in April I contracted diabetes. The physician prescribed insulin injection. In early June, Khan Bahadur Dr. Abdul Majid Butt, Punjab's health director, came to Simla and put up as my guest. Having learnt that I had fallen victim to diabetes, he insisted I must go to Lahore for detailed examination by Dr. Vishwa Nath. I was inclined to be indifferent but persuaded by him I left Simla on June 6, reached Lahore the following morning and went over to see Dr. Vishwa Nath.

Treatment prescribed by Dr. Vishwa Nath:Dr. Vishwa Nath examined me for three consecutive days most diligently and affectionately and explained to me at great length the nature of the disease and the precautions and restraints that I must exercise and the regime of treatment I must follow. Towards the end, he said, most important is to "go slow".

Zafrulla Khan: What do you mean by that.

Dr. Vishwa Nath: It means you lighten the load of your work.

Zafrulla Khan: It does not lie in my power. The war is on and my onerous duties demand my full time attention. There is no way I can shed the load of work. But if it is so harmful for my health that to save my life I must shed it I would resign my job and again start the law practice for to safeguard life is also one of the responsibilities ordained by Allah. Having resigned, I would start practice and reduce my work load.

Dr. Vishwa Nath: There is no such danger but you must exercise restraint and reduce worries of life.

Zafrulla Khan: How?

Dr. Vishwa Nath: Tell me how long does it take you to fall asleep after getting into bed?

Zafrulla Khan: Three minutes on the average.

Dr. Vishwa Nath: Does it ever happen that thinking of something keeps you awake for long?

Zafrulla Khan: Sometimes but rarely.

Dr. Vishwa Nath: What do you do when it happens?

Zafrulla Khan: I tell myself: "Master of the universe is Allah Almighty and not you. If you have worked to your capacity today and live till next morning, start your work again as Allah enables you. Now is the time to rest, so go to sleep."

Dr. Vishwa Nath: Does this formula work?

Zafrulla Khan: It does all the time.

Dr. Vishwa Nath: That is what I meant. Let not worries haunt life.

Dr. Vishwa Nath proved to be a very wise and sympathetic friend. Twice in a year he would examine me with great attention and concern and give suitable advice. If I insisted on paying fee he would put his both hands on his ears. Sadly, within five years he died of knee joint pain and I was deprived of his care. But I am benefiting by and advice till today.

Appointment as Federal Court Judge: Leaving Lahore in the evening on June 9, I reached Simla the next morning. That very night I saw in a dream as if I was working in my office room with door open when my cousin Chaudhry Inaytullah of Behlolpur walks in laughing. The dream had such an impact on my mind that as I woke up I thought I must hurriedly go down for breakfast for he must be waiting for me there. Then it occurred to me that I had seen him in a dream and not that he had come calling.

Two days later on the night of June 12 I saw the late Syed Inamullah Shah in a dream. As I woke up I thought that two successive dreams of good portent – the second weightier than the first – point toward a specific event. On the night of June 14 I dreamt as if I had gone to see Chaudhry Sardar Muhammad in Lyallpur. Having met him it came to my mind that my namesake and friend of the college days, Chaudhry Zafrulla Khan bar-at-law was also there and I must see him and so I did. Waking up this time round, it forcefully came to my mind that three successive well-boding dreams in a row, the impending event, though it may not so appear, would be a favour, a reward a recognition. The next day was my weekly meeting with the Viceroy. I rang up his private secretary to say that since I had nothing much to discuss I wouldn't come. He told me that since the Viceroy wished to talk to me about some specific matter, I must see him.

In March of that year the Muslim judge of the federal court of India, Sir Shah Muhammad Suleman had died. He was a very able, cheerful and well-mannered gentleman held in high esteem. Besides legal competence of a high

order, he had a kind of understanding of mathematics for which the mathematicians held him in great esteem. His death greatly saddened the Muslims of India. Sir Morris Gwayer was then the chief justice of the federal court. Before that he was law adviser in Britain's finance ministry and in that capacity had drafted the Government of India Act-1935. During the Round Table Conferences and sessions of the parliamentary committee we had got on to friendly terms.

As I went to see the Viceroy, while referring to the death of Sir Shah Suleman he observed that he and the chief justice had not been able to agree as to who should succeed Sir Shah Suleman. As a temporary arrangement the chief justice of Bombay high court, Sir John Beaumont, had been appointed but the chief justice had been insisting on a permanent appointment before the court meets in October.

"The problem is", the Viceroy went on, "that the chief justice is not at all prepared to propose a name other than yours while I insist that I cannot relieve you. Finally, we have agreed to leave the decision to you. If you wish to continue on the council, the chief justice would recommend some other Muslim and if you choose to go to the court I will be looking for some one else. When you come to see me next, let me know your decision". I said I was grateful to both and could tell my decision straightway without mulling over it for a week.

Viceroy: Very good. I am so happy that you do not want to leave the council.

Zafrulla Khan: Pardon me, I would prefer to go to the court.

Viceroy: If that is your decision, I cannot but go along as agreed with the chief justice. But would you care to tell me while your second term has yet to run another four years and in the forthcoming changes you could decide what is the best for you, why here and now you wish to confine yourself to the four walls of the court?

Zafrulla: The chief reason is natural inclination. Judicial environment is more in line with my nature than political pursuits. May be I am

wrong but I think I can, to an extent, evaluate the viewpoint of the other person. If I am right in assuming this very quality can be a source of weakness for me in politics but a help in discharging my judicial functions. There are some other reasons but those relate to my personal circumstances.

The Viceroy was not satisfied by the explanation but since he was committed to the chief justice to agree to my choice had to say only this much: "The court session starts in October. I hope it would be possible for you to keep working here till the end of September".

In those very days I had submitted a proposal to the Viceroy for increasing the number of the members of the council by appointing more Indians. The Viceroy had endorsed and forwarded the proposal to the minister of India. When approved, the Viceroy consulted me on the appointment of the law and supply members to succeed me. I proposed Sir Syed Sultan Ahmad for law and Sir Homy Modi for supply. Appreciative of both he asked me to enquire from them whether they would be willing to join the council.

Appointment of Sir Homy Modi and Sir Sultan Ahmad as member of the council: In those very days Sir Homy Modi had come to Simla and dropped by to see me. In course of conversation he wondered why I didn't do this or that in the supplies department. I said I respected his views and surely would pay attention but there were difficulties. On that he said if he were the member he would have found a way out. I told him to think of a way for an opportunity may arise. After I had met with the Viceroy and he had indicated his consent about the appointment of Sir Homy Modi, I asked Sir Homy when he came to Simla whether he had thought of a way. "Why waste time", he said, "but if you promise to implement my suggestions, I would think over it and let you know". I said I would hold an assurance providing you agree to what I have to say. "What is that" he asked. "You, yourself take over the charge of he ministry of supply", I replied.

"Why must I plunge into this fray"? I told him that since in our last meeting he had told me what he would do if he were to be in my place, now was the time to take my place and implement his own proposals. He thought I was kidding. "Not at all", I said, "I had proposed your name to the Viceroy and he has agreed".

I explained to him the restructuring plan for the council. He said it would be difficult for him to join the council leaving his current assignments. I told him that on the basis of his previous talk with me I had made the Viceroy agree and if he were to go back it would embarrass me. He said I had created a severe dilemma for him. "There should be no difficulty", I said, "the people are always critical of what is not done and if done how it could have been better done and now that an occasion has arisen you see only difficulties. Come forward and place service to the nation above self-interest. He agreed to give a final reply on return to Bombay. A few days later he communicated his acceptance.

I went to Patna to see Sir Syed Sultan Ahmad. He said though his leaving Patna would pose some problem, if I so wished and the Viceroy had also agreed, he would go along.

Appointment of Sir Feroz Khan and Sir Akbar Haidri as members of the council: For the second Muslim member of the council the Viceroy could not make up his mind for a while between Sir Sikandar Hayat Khan and Sir Feroz Khan Noon. At last, seemingly, the mind of Mr. Amery, Minister for India, was set on Sir Feroz Khan Noon and he was selected defence member. The selection of Sir Akbar Haidri as the third Muslim member was made by the Viceroy on his own. Coming to know of it I suggested that the third Muslim member should also have been selected by the Minister for India. The Viceroy praised the ingenuity, wisdom and experience of Sir Akbar. I said his qualities were indeed beyond a doubt but the federation was yet to be formed and giving representation to the princely states in the central government was premature.

The Viceroy, however, maintained his decision. He wanted the members to be cooperative by nature so as not to give rise to serious differences in times of war, but another consideration weighing with him was to weaken the position that Sir Akbar Haidri had acquired in Hyderabad by taking him out of the state to clear the way for the government directly to deal with the Nizam.

During a tour of south India, I stopped over at Hyderabad to meet Sir Akbar Haidri. He looked very disturbed. The Viceroy had written a letter to him and another to the Nizam. In both he paid high tributes to his ability and experience and wrote: "At this point of time I stand greatly in need of your guidance and hope that to strengthen the hands of the government in times of war you would agree to relieve Sir Akbar Haidri.

He then asked me what, in my opinion, could be the Viceroy's real motive. I told him it was to take him out of Hyderabad to Delhi and Simla and, secondly, to get his support in the council. "Would you advise I refuse", I asked me. I told him it wouldn't be appropriate and even if he did the Viceroy, on one or the other pretext, would have him out of Hyderabad and he would also lose the chance of serving in the council. "What should I do", he asked. I told him gratefully to accept the offer but join the council with a firm determination not to be a yes-man of the Viceroy but serve the country. "The Viceroy is fully conscious of your ability, wisdom and discretion but he has no intention to benefit by those qualities by following your advice but to bring others round to his own viewpoint with your support. Wherever he is right and straight you must support him as would most of your other colleagues. But when his view is contrary to the interests of India, you must put forth yours firmly and stand by it. Such an approach would encourage your colleagues and enhance your reputation".

Sir Akbar Haidri died a few months after joining the council but while there he discharged his duties with courage and wisdom. A long-raging controversy on the approval of the Bengal-Nagpur railway was resolved in the

manner the Indian members of the council had wished chiefly because of his support.

Appointment as Agent General in China:General and Madame Chiang Kai Shek came to Delhi in February 1942. In negotiations with the Viceroy, among their things, it was decided to establish a direct link between China and India. Since the government of India was not sovereign the Indian representative could not be designated as ambassador. It was then decided that just as India's representative in Washington was called agent general, (though for all practical purposes he was an ambassador) India's representative in China will also be called agent general but his status will be that of ambassador.

In the Sino-Japanese war, Japan had come to occupy parts of eastern and central China. As the government of China was driven out of Peking the capital shifted from one western city to another to land finally in Cheng King in the Sichuan province on the banks of Negsikiang. Situated at the confluence of the two rivers, the weather of Cheng King was damp and oppressive round the year. In the years 1940 and 1941 the Japanese planes incessantly bombed the city causing great loss of life and property. The air raids stopped during winter because the area was shrouded in mist or fog all the time.

In April the Viceroy wrote to me to convey his wish that in pursuance of the decision reached with Chiang Kai Shek I should agree to go to China as India's agent general for six months. His letter set out the hazards of living in Cheng King informing me that I wouldn't be able to take along my wife and daughter and financially also I would be a loser because since my emoluments as a judge of the federal court would be more than the British ambassador based there, I wouldn't get any allowance in addition to my salary. "My aim is", the Viceroy wrote, "that Chiang Kai Shek and his colleagues should have a feeling that the representative of India is a man of high distinction. I do not feel confident that anyone else would be able to conduct himself with the same ability

and dignity as you would. So I expect that notwithstanding the problems that I have recounted you would agree to take up the assignment".

The Viceroy's letter put me in a fix. On the one hand, I was conscious that I could not decline the offer because of the trust he had reposed in me. On the other, the offer had no aspect that did not weigh heavy on my mind. My own plans were that after six continuous years of back-breaking work, I would spend the summer months in peace and comfort in Gulmurg and Kashmir valley. I had but not a day's leave as a member of the Viceroy's council though at the end of the first term I was entitled to four months' leave and also in the second term. From the viewpoint of health also the weather of Cheng King would be troublesome and harmful. The Viceroy could not have officially compelled me to go to China. If I did not wish to go – a letter thanking the viceroy but expressing inability to go would have sufficed. But a thought kept haunting me that the Viceroy had written to me in the confidence that danger and discomfort would not worry me and on no pretext I would decline to serve the country in any capacity. My refusal would surely upset him. The very next day I wrote to him that I had no problem in complying with his orders.

The proposal was that I should proceed soonest possible and return in October after working as ambassador for six months. The flights to Cheng King then were from Calcutta with a stop- over in Burma. In those very days northern part of Burma was occupied by the Japanese forces. The route was closed and my departure was delayed giving me time for holidaying in Srinagar and Gulmurg.

Journey to Cheng King:Finally, weekly flighty to Cheng King started from Calcutta via Vanjan (northern Assam) and Kunming. I reached Calcutta at the beginning of June. There I stayed at the house of Sir Abdul Halim Ghaznavi and completed the formalities of travel. Accompanying me as military secretary was Gen. Nazir Ahmad, (then a major). Babu Tajuddin was the superintendent and another guy, an absconder from Rangoon, was the cypher assistant cum

stenographer. We also bought six packets of Lipton tea which came handy. From Donjon to Kunming we had to fly over peaks 18,000 to 21,000 feet high. The plane was a DC-3 with aluminum benches and baggage stacked in the middle. Leaving Calcutta in the morning, the plane was to land in the dry strip separating the two rivers. In the event Negsi was in spate the landing was to be at the airport behind the hills in the south – a two-hour drive from the city. The strip then not inundated, we landed there. The first secretary was there to welcome me on behalf of the British ambassador. The temporary accommodation for the two staff members was arranged in the town. Maj Nazir Ahmad was the guest of the first secretary and I of the ambassador. A bungalow was arranged for our permanent residence on the southern bank of the river owned by the Imperial Chemical Industries. Situated at a height, tall trees and clean air protected us from heat. I had taken Syed Adul Karim along from Delhi. The attendant, cook and maid were local.

Stay in Cheng King: For the provisions of daily life one could rely only on the bounty of Allah. Fresh milk was not available, hence no butter or yogurt were to be found. Unrefined sugar was available with difficulty. The non-availability of sugar caused no problem for I was not allowed to take it because of diabetes. Syed Abdul Karim would slaughter chicken for us to eat. Everything was dear and getting dearer by the day. For the Chinese gentry and the professionals with fixed income, those were hard times.

Bribery was rampant though we didn't have to suffer it. Gen Chiang Kai Shek himself was above suspicion but the total number in the country not involved in corruption could not be more than 12. A brother of Chiang's wife who was the finance minister was known as doyen of black-marketing world. It was a time of extreme hardship for the people but Chiang's brother-in-law went about wearing gold watches on both wrists.

A thick gold chain hung on his chest from one pocket to another, one could not peep inside his pockets but as he spoke or laughed teeth studded with

gold came in fell view. Two-thirds of all goods transported from Burma at great expense were said to be his personal ownership for sale in the black-market. The British government had agreed to extend a loan of five million pounds for specified uses but the agreement fell through as the Britain insisted it must keep an eye that it was spent on the purposes intended. Soon after I had left, it was reported in the press that Gen Chiang had removed him from his post.

By 1940-41 Cheng King was so devastated by bombing as to leave little room for offices, homes and businesses. Out of sheer courtesy the British ambassador set aside two rooms for our use in the brick-and –mud wing of the embassy building. Leisure was not a problem in Cheng King. In fact for a man of my temperament, most difficult thing was to find something to do.

Foreign minister was Gen Chiang Kai Shek himself. He had a house in the town but spent most of his time living on the south bank of the river behind the hills and his car had to be ferried across Nagsi river. Touring extensively, it was hardly ever known when he would be in Cheng King. Access to him, therefore, was difficult. He had two deputy ministers for foreign affairs. One of them was Mr. Sun Fu son of Sun Yat Sen. In the division of work I had to deal with him. On my request he had agreed to see me at 10 in the forenoon every Wednesday to discuss whatever little work was there. In the course of these meetings he would also apprise me of the general situation of the country more specifically about the state of the war.

The Chinese people are not given to informal conversation. It is in fact, considered uncivilized. A wall therefore, invariably separated them from the foreigners. Though fully meeting the demands of courtesy and hospitability, they did not seen to trust any foreigner. However, I felt, they maintained a slight difference between the Asians and others. One day the British ambassador told me that he had received instructions from his government to transmit an important message to Gen Chiang Kai Shek the soonest possible. He had requested for a meeting but it could take as long as two weeks. He had come to know that I had an appointment to see the deputy minister every Wednesday and

whether I could carry a letter to deliver to him at the next meeting in his behalf. Though he could wait to convey the government's message personally to Gen Chiang but informing the deputy minister through me would mitigate his sense of delay to an extent. It surprised me, nevertheless, I carried out his instruction unhesitatingly. I imagined that such a breach of decorum could be possible only in the extraordinary circumstances of an irregular war. But it also showed that an Asian representative relatively enjoyed greater privileges than a western diplomat.

***Sir Richard Tychman*:** I was quickly able to assess that I would be able to do whatever I was expected to do by attending office three days a week. Two important and recurring tasks were weekly call on the deputy foreign minister and a weekly letter to Sir Olaf Caroe, foreign secretary of the government of India. When not much to do in office, I preferred to spend time in the company of Sir Richard Tychman who was special adviser and China specialist in the British embassy. On the Chinese affairs he was a moving encyclopedia. Having lived long in China he was fully familiar with every aspect of China's life and politics. He was a hunchback. While walking it appeared as if he was leaning on his face downward. He had long arms and a wrinkled face, had bright, radiant eyes set in a pale, broad face. An hour in his company was more profitable than reading ten books. He was practical and result oriented.

My secretary, Mr. Richardson, had a term of posting in Tibet and was well acquainted with its customs and culture. He was an admirer of Sir Richard and a constant recipient of his advice. Soon after my return to India Sir Richard also proceeded on pension to settle down in his ancestral home at Norfolk. His death occurred in very tragic circumstances. One day he was walking in fading light in a nearby forest when a hunter taking him to be a four-legged beast fired at him from a short distance. Since there was no room for any other conjecture, or suspicion, his version was accepted.

The route from my house to office in Cheng King: I would go to office on Mondays, Wednesdays and Fridays. Otherwise I would go to town only when my attendance was necessary or advisable at an official or social function. Heat and humidity being ever so troublesome, I would have breakfast at six and leave by seven. Going downhill four porters carried me in a chair fastened to two long bamboos. The path through the hills was narrow and so winding that while the bearers at the rear were still at a turn, those in front would be negotiating the next one while the chair was hung in the middle over a deep ravine. Maj Nazir Ahmad would walk ahead in the lightest of uniforms with a towel round his neck to wipe the face. After the hills and at entrance to the inhabited areas, rotten smell would assail nostrils. It took quite some time to get to river by negotiating garbage-infested muddy streets. From there the chair would go back to the bungalow while Nazir and I would board a steamboat to ferry us across tended by bare-breasted sweating people. Barring the first few arrivals the other passengers had to cross the river standing. Both banks were crowded by boats that served as homes of the Chinese folk who eased themselves in the river and used the same river water for drinking and cooking.

The bank along the town was quite high and though a chair could be hired to go up to the bazaar we preferred to climb up the stairs by foot to reach there with perspiration dripping. A car waiting there would take us to an open space near the embassy. The last lap of about 200 yards was again a foot through a narrow lane which in rain turned into a hazardous drain. In Cheng King I would wear a light vest, a lose Muslin shirt, *shalwar* (baggy cotton trousers) and Turkish cap. On important formal occasions I would wear *Shirwani* – a long tunic.

Invitation to Gen Chiang Kai Shek's dinner: A few days after arrival and again before my departure, General and Madame Chiang Kai Shek invited me to dinner. He knew little English and I guessed that he understood it more than he pretended but hardly ever spoke. The Madame, whenever around, would

act as interpreter. She was a graduate from America's Wesley College and a Methodist Christian. She was a very refined and intelligent woman. As we sat down to dinner she instantly said the dinner had been ordered from a Muslim restaurant and the waiters had also come from there. I should eat feel assured that the hand of no non-Muslim had touched the food. Wet towels were provided to guests to wipe hands and faces. Innocently, I asked her why that distinction had been bestowed only on me. Smilingly she said "you appear naughty. Surely, you know that if the women were to wipe their faces their make-up would also get wiped away". After dinner she said she was sorry to say farewell to us in haste for living on the southern bank we must get across before the ferry service closed for the day.

Because of the river-crossing, the traffic between the town and the southern bank was restricted during the night. In the daylight we would go back from the city to the southern bank the way we had come but with one change - after crossing the river Maj Nazir would hire a mule at the bank. He was a very tall man and the mules very short. He did not have to climb on to one. As the beast came under his parted legs he would tighten the grip and the mule would climb up the stony steps to the bazaar and on to the bungalow. To avoid the hazards of tripping in the dark or being waylaid by robbers we would call a car over to the ferry at the southern bank to take us on a longer but less hazardous route.

The residential arrangement in Chung King were satisfactory and heat was not too troublesome either. However, the intellectual deprivation and isolation from the rest of the world with weekly mail as the only link, weighed heavy. The third secretary of the Australian embassy, Keith Walker, broke the monotony by bringing a bundle of magazines and books to read every week. We reciprocated that by serving him Lipton tea. He would drink six or seven cups as if it was nectar from the heavens. As our stay came to a close, we gave to him the left-over packets of tea which was like finding a last treasure. Later, occasions arose to see him when he was Australia's ambassador in Moscow and

Washington and secretary of the foreign ministry. I still remember him with gratitude for the good turn he did to us.

Amazing transformation of the Chinese revolution: What troubled me the most during my stay in Chung King was the filth and stench which I feel wary to recount at any length. Twenty-two years later I happened to visit Canton just for 27 hours. I found the city clean and tidy with not a fly to be seen. My first thought was that may be it was peculiar to Canton but soon learnt that Canton, if at all, was counted among the polluted cities. The change wrought by revolution in an overcrowded land of 700-750 million people which I saw in Chung King and later in Canton was incredibly amazing not in cleanliness alone but in every department of life. As far as material well-being and civic behaviour go, the progress made by the Chinese has been fast and remarkable.

China's Muslim population:In September 1942 the legislative assemblies of China met in Chung King to which the representatives from the north-western provinces and Sinkiang also came. The Muslims constitute a majority in some north-western provinces. In Sinkiang they also spoke Persian besides their mother tongue Turkish. My meetings with them turned out to be very useful. I learnt that China's Muslim population then was in the region of 40 to 50 million concentrated mostly in the north-west. The banking business was mostly in their hands and governors of three provinces were Muslims. From the viewpoint of religious values, imprint of Islam was deeper in areas closer to Central Asia. The Muslims were strict in distinguishing between *halal* and *haram* and wouldn't eat meals cooked by Chinese.

In 1964 when I boarded a Chinese train at the border of Hong Kong and Canton, incharge of the dining car cane to my seat to ask whether I would have lunch. "Yes, I will", I said. "Muslim meal", he enquired. On my "yes" reply again, I was called to the dining car half a hour after the other passengers. Quite obviously, the meal for me was cooked separately.

The theological instructions to the Muslims was then left to the Muslim scholars. Most among them were graduates from Al-Azhar. They were called "Ahang" - may be a variant of "Akhund", teacher in Persian.

Return from Chung King: At the end of September Maj Nazir Ahmad paid a visit to another part of China under a government arrangement. I was to leave for Delhi in early October. I asked him whether he would like me to write to the Indian government that he would stay back for a while. He was emphatic in saying that he would go back with me. I told him of the date on which i was due to leave and cautioned him to return before that for he must know that the plane to Calcutta is but once in a week and if he was late we would be stuck there for a week.

Just a day was left for the departure but he did not return. Late in the afternoon a small aircraft was seen landing and an hour later Nazir appeared on the back of a mule. Heavy rain water accumulated on the runway had delayed the plane's take-off for two days, he explained. His military hosts managed to put him on a plane bringing fruits and vegetables for Mr. Vandal Wilkie. But when the aircraft arrived over the strip between the two rivers the aircraft ran short of fuel. Maj Nazir and another freeloader then took turns to reve up the pump to inject the last drop of fuel in the engine. Four minutes of pumping seemed like as many days till the wheels of the aircraft touched the strip.

Thus we were able to leave for Calcutta on schedule. The plane had just taken off after a brief halt at Kunming when it came back to land as an alarm had been sounded that the Japanese aircraft were likely to attack Dinjan. After an all-clear was sounded we took off and reached Calcutta at sunset to savour a cup of Lipton tea that Keith Waller would have envied.

Impressions of China visit reported to the Viceroy: In Delhi I reported the conditions prevalent in China and impressions of my stay there to the

Viceroy. In my weekly letters to Sir Olaf Caroe I had been giving detailed account of my activities. He told me that the Viceroy had been reading my letters with great interest. But when I recounted those very events briefly the Viceroy looked puzzled. I specifically placed before him three points:

Zafrulla: Once Japan is defeated, China will pass under the control of the communists.

Viceroy: What makes you say that?

Zafrulla: I say so because whatever resistance the Japanese are facing in China, mostly it is because of the exertions of the communists. Kuomintang is no more than a show. The communist organisation is very strong and its cadres are highly trained. Kuomintang is riven with corruption and black-market roars. The people, especially the peasant – proprietors are unduly harassed and feel oppressed. It cannot remain the same way after Japan is defeated. The communists will prevail without opposition from the nationalists.

Secondly, to say that the communists of China are not "red" (as are the Russians) but "pink" is fooling oneself. All leaders are indoctrinated in Moscow and are out and out communists.

Thirdly, to hope that the Chinese farmer is an individualist who would never succumb to communists pressure is to hope in vain. The Chinese farmer feels concerned neither about individualism nor communism. He would submit to whatever party is foisted on him and heartily welcome anyone who relieves him of bureaucratic oppressions.

The Viceroy listened to my submissions but I could see he attached little importance to them. But even if he were to agree with me he could do pretty little for all those matters were beyond his authority, even influence.

My memorandum to the Viceroy from Chung King about Indian independence: From Chung King I had sent a memorandum to the Viceroy about the constitution for India. In that I wrote that though no constitutional change

could be expected during the war, remaining within the existing constitutional structure, a thought must be given to practical steps that possibly could be taken to yield worthwhile results at the right time.

In this context I suggested that the people acquainted with the affairs of the state who are also prepared to cooperate with the government should be taken into confidence and responsibility of running the government placed on their shoulders. The political parties and the people at large would, thus, feel persuaded that the government was ready to transfer power to the Indians.

If the constitutional changes are being delayed, one reason is the war and the other is the communal differences that have been defying a solution. To show to the people that the two difficulties were not being used as a pretext for delaying independence and to dispel all doubts about the intentions of the government, some steps need to be taken which vest the decision-making power in the Indians even if on paper it remains a responsibility of the Viceroy, the Minister for India and the British Parliament.

A message, thus, would go across that no sooner the war ends, India would become constitutionally independent.

***Participation in the pacific relations conference as India's representative*:** Coming back from China, I had attended but just one session of the court when Sir Olaf Caroe talked to me about a meeting of the Pacific Relations Association in December at a summer resort in Quebec province of Canada. The conference was unofficial but independent countries of the Pacific region besides Canada, US and Britain would also be attending. The Viceroy was of the view, Sir Olaf said, that participation of Indian delegates would add to the status and prestige of India. To send a large delegation would be difficult because of the war and the journey too would be trying, but if I agreed to lead a smallish delegation, I could give free expression to my views. Begum Shahnawaz was also being invited and another delegate may also be named. The Viceroy had talked to the chief justice who had no objection to my participation

for after the current court session there was to be a long interval. The chief justice advised that I must go. Sir Olaf then advised me to get ready quickly for the journey was long and subject to delay at various stages.

Journey to Canada:On the appointed day, Begum Shahnawaz and I left Karachi for Cairo by a flying boat. Mr. Casey's secretary met me at Cairo airport conveying his desire that I should stay with him. I told him that we would be putting up in Sheperd hotel but I will go over to see him at his convenience. He invited me to have lunch with him the next day. Mr. Casey was Britain's minister of state in the Middle East. Later he became governor general of Australia. At lunch, Mr. Casey raised the question as to why no steps were being taken to level the Indian opinion in favour of the war effort. I explained to him the contents of the memorandum that I had written to the Viceroy from Chung King. Mr. Casey said my proposals were wholly appropriate and the measures that I had proposed very useful. He suggested that on the way back from Canada I must stop over at London to talk directly with the Minister for India and the prime minister. I told him that in my present position it would not be appropriate for me to meet them and request for consideration to my proposals. He then asked me whether I would have any objection if I were to be invited for consultations. I said I would be too happy to go. "Very well", he said, "I would write to Mr. Amery about it."

After a three-day stay in Cairo we left for Khartoum for a night's stay and next day flew to Stanleyville to stay another night. The third day we were in Leopoldville and on the fourth in Lagos. There we were guests of the governor general, Sir Henry Bourvian, for three comfortable days.

From Lagos to Accra (Ghana): From Cairo to Lagos by flying boat and onward by plane, on the fourth day of the journey we arrived in Accra. There we stayed with the governor, Sir Allan Burns, in an ancient palace overlooking the Pacific to enjoy a magnificent view and generous hospitality of the governor.

***From Accra to Florida*:** Sudden suspension of flights over the north-western part of the African continent cast uncertainty over our onward journey or even return home. The ban was however lifted the very next day when the allied forces landed in North Africa. A freighter which was being used as passenger aircraft took us overnight from Accra to Natal in Brazil. From there another more comfortable American military aircraft took us to a military base near George Town, British Guiana, and onward to Miami with a batch of American pilots. Chatting informally during the flight one of them could not help but say "why! you are like us". That made me laugh and say that in the dark of the night they must have been worrying what kind of wild beasts had been put on the plane with them. His name was Murray White.

Twenty years later, in February 1962, I went to attend a function at the Denver University. Seeing my name in a newspaper he called me on phone giving his name as Col. White. It didn't instantly occur to me that in the American air force ranks of the officers are the same as in the army. He said "Sir Zafrulla you wouldn't recall but I do. Twenty years ago we were together in an air journey", I asked him whether he was Murray White. "Yes I am" he replied. That very day he came to see me along with his wife and reminded her at length of our conversation during that journey.

From Florida to Canada via New York: At Miami we were met by the British vice counsel who told us that he had reserved rooms for us in a hotel and also booked our seats both by plane and rail for journey to New York. We stayed the night at Miami and took the morning train to New York on a 24-hour journey. The journey from Delhi to New York took three weeks. There we stayed for another week. Malik Bashir who was then permanently residing in New York took good care of us. An overnight train took us to Montreal and another to the conference resort in the hills.

It was winter and the place was under a blanket of snow. A sledge took us from the station to the Lodge. For the subject of the conference it was a setting most appropriate – mountains covered with snow shimmering on a clear day. We had no time for excursions as the conference and the activities connected with it occupied all of our time. The leader of the American delegation was Mr. Philip Jessup who was professor of international law at the Colombia University. Later for some time he was also assistant secretary of state of the US. I had an occasion to work with him at Colombia University. These days he is a judge of the International Court of Justice. Lord Hailey was in the British delegation. Sir Rama Swami Mudliar later joined the Indian delegation. The conference was interesting and added to my knowledge but from the international viewpoint the deliberations of the conference yielded little result.

Return via London and some meetings there:At the end of the conference a programme of lectures was laid out for Begum Shahnawaz at various places in Canada and the United States. Lord Hailey (formerly Lord Irvin, Viceroy of India) then was the British ambassador in Washington. He sent a message across that the Viceroy wanted me to stop over at London on the way to India and he would explain the itinerary if I were to visit Washington for a few days. At the same time I also received an invitation from Earl of Ethlon, governor general of Canada, to be his guest for a few days at Ottawa. Our trade commissioner at Toronto was very keen that I must visit Ottawa as well.

I went from the hill resort to Ottawa where I was guest of the governor general. Earl of Ethlon was uncle of King George-VI and his wife Princess Allis Quintus was a very cultured and sharp-witted lady. My stay with them proved to be most enjoyable. One evening they took me to a snow recreational gymnast which was a new and absorbing experience for me. Sir Layman Duff was then the chief justice of Canada. He invited me to a hearing of the supreme court which I was too happy to accept.

While in Lagos I attended a session of the supreme court of Nigeria and in Accra a hearing in the West Africa court of appeal. Later, I also attended a session of the supreme court of Ontario. I had received an invitation from the chief justice of the United States to attend a session of the supreme court in Washington but the court had gone on recess for the Christmas vacations. The issue that was being debated in the Canadian supreme court proved of special interest to me for a similar issue was due to come up in our federal court.

In Toronto I was guest of the Empire Parliamentary Association at dinner and of the Canadian Institute of International Affairs at lunch and had to speak on both occasions. While at Toronto, I received a telegram from some Muslims asking me to lead the Id prayers at New York. I compiled with that. The venue they chose for the prayers was close to Waldorf Astoria. Malik Bashir Ahmad came over and suggested we walk to the place. I readily agreed for I am fond of walking, and such was also the medical advice but during the travel opportunity to walk rarely arose. Since the inside temperature is kept at a comfortable level, the weather in the open is hard to guess. As we came out of the hotel it was terribly cold.

Meeting with president Roosevelt: Sir Girja Shankar Vajpai then was India's agent general at Washington. He arranged my meeting with President Roosevelt, Chief Justice Stone and Justice Frankfurter. President Roosevelt told me that he could not have forced Churchill but he spared no occasion to persuade him that India should be free soonest possible.

***Justice Frankfurter*:** Sir Maurice Gowrie had given me a letter of introduction for Justice Frankfurter. He received me with great courtesy. I mentioned to him that I suffered from diabetes and my doctor had wanted to go Boston for a checkup by Dr. Joslyn but being a very busy physician of high caliber he may not find time to see me. Justice Frankfurter said that he knew him well and he must see me. He was gracious enough to get an appointment for me

on phone and also told me that since I would be seeing the doctor for the first time, I must be prepared to stay there for three days.

In the very first meeting I became very friendly with Justice Frankfurter. On subsequent visits to Washington I would invariably call on him at his office or home. He was a very able and intelligent judge. From a teacher at Harvard law school, he straight became judge of the supreme court. After he got law degree, Justice Wendell Holms appointed him as his clerk which was considered a great distinction for a law graduate. Mr. Holms had a long tenure as a supreme court judge and left a lasting imprint on the traditions of the court. He was a judge till his death at the age of 90.

Judge Frankfurter was Holms' great admirer and treated him as his guru. On every point he would quote his authority. While talking to me, he would reach for one of his books to read out the relevant portion. Once when I met him at his house I was sitting in a chair when holding both my arms he pushed me to another chair saying "no, no, you must sit in this chair". It occurred to me that the chair must have something to do with Justice Holms. Later, as I stood up to say goodbye he told me to read the writing on a plate at the back of the chair to know why he was so keen that I must sit in that chair. Written on the plate was: "This is the chair in which Justice Holms sat in the study of his Beverley Hills home". The chair had been presented to Justice Frankfurter.

After the creation of Pakistan once when I met him he had this to say: "Zafrulla, you should not have left the vocation of justice. Go back to the court even now". In every meeting he would reiterate that advice. In 1954 when I met him after my appointment at the World Court he said "now you are on the right track".

Address at the inter American bar association:During my stay at Washington I was invited to speak at a meeting of the Inter-American Bar Association. The time given was 15 minutes and the topic was not one but two. The first was "India's war effort" and, second, "India's legal and judicialsystem".

The second combined two subjects under one head. I spoke for five minutes each on the two aspects of the same subject. At the end of my speech the chairman of the meeting, besides some other words of praise, said: "We have just witnessed a miracle of condensation".

Apprehension of Sir Girja Shankar Vajpai:Sir Girja Shankar Vajpai hosted a dinner in my honour where I had an opportunity meet a number of eminent people. One day he spoke to me about the fast changing conditions which clearly pointed toward the establishment of a Congress government in India. In such a situation he wanted my advice whether he should resign.

"I have been a member of the Indian Civil Service", he said, "and in the course of duty on numerous occasions I had to advise the government against the interest of the Congress or to act against it. All that is a part of the record. If the men that matter in the Congress were to be vengeful I would land in difficulties. But if I resign now I would go into a quiet and dignified retirement".

I told him it was a personal matter of which he alone could be the best judge "but since you have asked here is my advice. You are a man of proven ability and high acumen. The Congress leaders know you well. They should view your commitment to duty, honesty and competence as a virtue of high order. Once they come into power they would stand in desperate need of men of your experience and caliber. I am sure they would value all that you say and should have no worry. You would serve them as faithfully as you do the present government. I see no reason for your anxiety".

That is how it happened. After independence he was appointed secretary general of India's ministry of external affairs and later became the governor of Bombay.

Meeting with Lord Halifax:In Washington I called on Lord Halifax. He told me that my journey to England will be arranged through the "bomber command". In course of conversation he also told me that in a few months Lord

Linlithgo would be completing the extended term of his viceroyalty and whether I had some one to suggest to succeed him.

Zafrulla: My mind is blank.

Lord Halifax: How about Sir Samual Hoar?

Zafrulla: I told him in high regard and he is well informed about the ups and down of the Indian leaders. In my view, his selection would be most appropriate.

Lord Halifax: While in London you would surely have a chance to see Mr. Churchill. It would be wholly in order if you were to convey your opinion to him.

Zafrulla: Isn't he likely to consider it as an uncalled for interference?

Lord Halifax: No, no. He knows you and you could freely put across your view.

Zafrulla: Getting a chance I will do as you suggest.

Dr. Joslyn, top specialist in diabetes: The chores in Washington over, I went to Boston to stay for three days in the New England Dickens hospital. There Dr. Joslyn and his colleagues attended on me with great care and affection. Dr. Joslyn was an acknowledged world-wide authority on diabetes and had been president of the world diabetes conference for years together. His fellow-doctors at the hospital were no less. Dr. Alexander Marbel, Dr. Howard F Root and Dr. Prescla White were all of world fame. They spared no pain in examining me. That is how he behaved towards all. It was not for me alone. I would go to see Dr. Joslyn once in two years to receive his care and affection. He would value every human being without regard to his status, colour of skin, gender, or being rich or poor. He lived to be 93 – diligent in his duty to the last moment. During summers he would leave Boston at the week-ends to spend two days at Oxford, Massachusetts in the company of sick children at a diabetic camp. After the first examination, I stayed at his hospital but once. Later it was always at his home

which, indeed, was a hospital in miniature. For eye-test he would arrange for me to see Dr. Bethan at his home. In the last years of his life an institute named after him was established next to the New England Dickens hospital. The road was also named after him.

Some of Dr. Joslyn's instructions for diabetics: I was a recipient of Dr. Joslyn's care and affection for 20 years. He was a kind friend of great qualities and his death saddened me a great deal. The doctor treating me at Lahore, he said, was skilled and the treatment he prescribed was on the right lines. Secondly, I was in good health. Diabetes, no doubt, he would say, was a disease and its treatment and a dietary regimen were absolutely necessary. But it was dangerous so long as it goes unchecked. Once detected and controlled it posed no danger. Regular check every year, or every other year, was necessary to adjust the treatment. On every subsequent examination he would say that I was indeed a model patient who followed every instruction. I would submit to him that coming all the way to see him to get his advice, there could be no greater stupidity than not to act upon it. Smilingly, he would say, "everybody doesn't".

Without a doubt, Allah Almighty is the source of all that is beneficial – physicians, knowledge of medical science, principles of treatment and the effect of medicines and diet originate from Him alone and are his blessings for mankind. Timely diagnosis of disease, access to a specialist doctor, correct diagnosis and appropriate treatment, capacity to restrain oneself and for everything to prove effective can be possible only with His mercy and grace.

I received the first warning in November 1936. I followed the advice of the physician but better would have been to have consulted a diabetes specialist at an early stage specially when my father was also a diabetic. The delay led to full-blown diabetes.

Dr. Abdul Hamid Butt persuaded me to see Dr. Vishwa Nath who started the treatment on right lines and the load of my work also lessened. Leaving for China in 1942 I was worried about my health. Though I returned weak and

fragile my diabetes had improved and continued improving during my term as judge of the federal court. The anxieties accompanying the partition of the country and the responsibilities as foreign minister compounded by the heat of Karachi gave a setback raising the daily insulin dosage to 28 unit. God intervened once again to have arranged for me to go to the World Court. The Hague weather and regular life routine helped reduce the doze gradually to eight units. Living in New York from 1961 to 1964 as Pakistan's resident ambassador at the UN with the added responsibility of president of the General Assembly during 1962-63 raised the doze again to 12 units. It has since come down to eight.

Travelling by a bomber plane from America to London: For journey to England, the instructions given were to get to Montreal to take from there a bomber flight to Glasgow. In a snow-covered Montreal, I stayed the night at Windsor Hotel. At the airport the next morning the passengers were told that there being no seats in the plane we shall have to travel lying on cushioned quilts and the unheated plane would be flying at an attitude of 20,000 feet. The passengers, therefore, were required to put on a silk suit over their clothes and a leather suit over that. Both suits were provided alongwith leather gloves and headgear. The bomber arrived but couldn't take off because of some defect. We were transported back to the hotel. The next day a snowstorm came that lasted for five continuous days. The stay in Montreal was, thus, prolonged to eight days. The hotel was comfortable but it was freezing cold outside. I stepped not only to return after a short walk with blood oozing out of my right ear. One evening I saw an ice hockey game where more than the play excitement of the spectators was worth seeing.

The day of departure finally arrived. The 30 odd passengers had to lie on the cushioned floor of the bomber packed like sardines so weighed down by their travel outfit and blankets that it was difficult to move with the mouth stuck in the oxygen mask. In the afternoon the plane landed at Gander where I addressed

men of the Royal Air Force stationed there. Another 10 hours, and we were in Prestock. The oxygen mask with its rubber made the passengers restive. As the plane landed at Prestock, the passengers were informed that the Oxygen machine all along was out of order hence no Oxygen had flowed into the mask. Were we to be told at the outset, I would have taken the mask off for I did not notice the absence of oxygen even at the high attitude but smell of the rubber-lining of the mask was sickening.

***Two-month stay in London during* the bombing:** After an hour's journey in an unlit, unheated train in freezing cold without food, I reached London enveloped in darkness. My stay was arranged at the St. James Court. Lord Halifax had indicated a stay of two weeks which prolonged to two months. Short days, long dark and cold nights under constant bombing permitted no more than a few hours of work. Staying indoor in dark weighed heavy but caused no anxiety or fear.

Invitation from Queen Mary, mother of King George vi, to spend a day at Badminton Palace: At the India Office next day, private secretary to the minister informed me of an invitation from the mother of the emperor to be her guest for a day at the Badminton Palace in Gloucestershire where she was staying for the duration of the war. The invitation required me to be there in the afternoon and return the next day. I said it may not be possible for me to make it. The royal invitation is like an order leaving no room for refusal, the private secretary told me. "I realised that", I said, "but I was unable to obey as I hve come travelling half way round the world and wasn't carrying an evening suit in my small bag". "It was not an insurmountable problem, Moss Bros rent out suits of all descriptions and sizes" was the reply. I said I knew that too but can't bring myself round to wearing a rented dress. Wily nily, he agreed to would inform Queen Mary's equerry-in-waiting the reason for my not being able to go. Three days later he told me that Lord Claude Hamilton had told him that the Queen had

said that dinner suit was not necessary and I could come in whatever clothes I had. I was, thus, left with no option but to accept the invitation.

Queen Mary carried herself with great dignity and I held her in high esteem. During the Round Table Conference and again on the coronation of king George VI, I had four occasions to see her. At the coronation I was a royal guest because I represented the government of India. Now I was guest of the royalty in my personal capacity. Lord Hamilton received me at the station. Badminton was palace of Queen Mary's niece. Lord Hamilton told me there was to be no formality. Accompanied only by Lady Lamington, her lady-in-waiting, the Queen herself would play the host. I enquired whether Lady Lamington was the same tall, dignified woman whose husband at one time was governor of Madras. She is indeed, he said, and just at that time she entered. I told her that when I was a student in London and she and her husband had hosted a reception for the Indian students at 21 Cromwell Road, I was present there. In those days she and her husband had just come back from Madras. That was "almost 30 years ago", she said, "but you still remember it".

***Queen Mary Enters*:** That very moment, Queen Mary entered and we all sat around a tea table. The ceremony was so simple as to cause no embarrassment to me. It transpired during the conversation that she was aware of my having been guest of Earl of Ethlon, governor general of Canada, at Ottawa. I guessed that I had been invited because the GG's wife, Princess Allice Quintus of Ethlon, must have talked to the Queen about me. Earl of Ethlon was a brother of the Queen and his wife Princess Allice was the only daughter of Prince Leopold, Duke of Albany. I had come across her at a Buckingham Palace party in March 1935. At that time I had asked her whether it was she who had persuaded Queen Mary to invite me as her guest. She said indeed she had and Queen was enormously pleased to meet me.

After tea the Queen led me to her private lounge. Our conversation lasted for over half an hour. She recalled her visit to India in the company of King

George V to celebrate the coronation. That was 32 years ago but her memory was lucid but what surprised me the most was her distinct pronunciation of Indian words and names. When I told her that she said before leaving for India she had made a special effort to learn the correct pronunciation of Indian names and words. She went on: "I greatly loath the habit of distorting the pronunciation of names and words of a foreign language. I consider it a height of ill-manners when our officials do that. To say 'Kapurthala' is as easy as 'Caperthala'. Correct pronunciation sounds pleasing to the ear. It is both foolish and bad manners to pronounce 'Haiderabad' as 'Hyderabad' and 'Nizam' as 'Naizaam'."

The Queen also recalled the tragic death of his youngest son, Duke of Kent, in an air crash. She made no mention of her elder son, Duke of Windsor, nor I referred to him so as not to hurt her emotions. She said she was not a guest of the Duke or Duchess of Beaufort nor was I. I was her guest and that is how I was invited to dinner. "I have invited them this evening so that you can also meet them. They are nice folk and you will be pleased to see them", she said.

The Queen gave to me Gorky's biography of King George V with a full page at the start of the book written in her own hand in my name. She also gave me her three signed photographs. In one she was shown sawing wood with Canadian soldiers in the garden of Badminton Palace. I told her the picture would be of great interest to the Indians. "It wasn't at all unusual", she said. "I was inspired to join them". I asked her whether she could have ever imagined Queen Victoria or Queen Alexandra doing that. "One has to bear in mind the passage of time", she observed. As I bade her farewell, she came with me up to my room.

At dinner the Duke and Duchess of Bofort, Duchess in particular, showed special interest in conversation. I had earlier asked Lord Hamilton as to for how long the Queen would remain in the lounge after dinner. He said she usually left five minutes after listening to the 9 o'clock news bulletin. As the

news ended, I did not broach a new topic but the Queen kept the conversation going till 9:45. While leaving she said: "I hear you intend to leave for London after breakfast. Being old, I have breakfast in my bedroom. I am grateful you took the trouble of coming over, it has given me great joy".

One of my proposals concerning the Indian independence: In 1942, I had proposed to the Viceroy that to enlist political support for the war effort, some steps need to be taken to assure the politicians that no sooner the war ends in victory, Britain would grant independence to India. Since the Viceroy had already told me that the British parliament will not consider any constitutional change while the war lasts, I had restricted my proposal to a mutually agreed arrangement, without a constitutional change, under which the authority of the Viceroy and the Minister for India in governmental affairs was to be suitably curtailed. For further consultations, I was summoned to London for a meeting with Sir James Grig, Sir John Anderson and Sir Findlater Stewart. Sir James who had been my colleague in the Viceroy's council was then the deputy minister for war, later war minister. Sir John Anderson who had been governor of Bengal was incharge of science and technology affairs related to the war with the rank of a cabinet minister. Later he became Lord Waverley. His wife had died before he became the governor of Bengal. He married the widow of a senior foreign service officer who owned a house on Lord North Street close to the parliament and Whitehall. That was a privilege in times of war. He invited me to lunch and introduced me to Lady Anderson. She was a delicate and sensitive woman. Her home was like a doll house in which it looked difficult for a man of Sir John's size and weight to move about freely – he had to manage by bending here and moving sideways there, she said.

Sir Findlater after a long spell as deputy minister for India then held a key position in the war strategy department. For our meetings there was no fixed schedule. The talks went on as necessity arose keeping in view the engagements

of each other. We would get together two or three times in a week or even more frequently.

In the first few meetings it was agreed that barring the commander-in-chief, the other members of the council would be Indian and the position of the Viceroy would be that of a constitutional head of government. The senior member of the council may not be designated as prime minister but in practice would act as such. The Minister for India would advise the Viceroy to intervene only in such matters as were directly connected with the war. Though the details of the plan could have come in for criticism from various quarters, all of us agreed to make it work.

A factor which was not openly discussed in our meetings but proved helpful in the background was president Roosevelt's immense pressure on the British government to take some effective steps towards Indian independence. As mentioned earlier, president Roosevelt himself once told me that he let no occasion pass without impressing on prime minister Churchill the need for independence to India.

Since constitutionally the government of India was answerable to the parliament through the Minister for India, I felt confident that if the authority of the Viceroy and the minister were to be curtailed the plan may work. The British members of the council, however, could see no way to persuade the prime minister, Minister for India and the cabinet to agree to it at a time when the war was at a critical stage. They were also hesitant in endorsing a system under which the members were to be chosen by the assembly or even in consultation with it. It would require, they thought, a constitutional change to which Mr. Churchill and Mr. Amry were unlikely ever to agree.

Conscious of this difficulty, I did not insist on this aspect of the plan. At last, I spoke to Sir James Grig on these lines: "We are not seeking to devise a permanent system, just a temporary and interim arrangement that works during the war and is willingly adopted by the British government. I have no representative capacity but a judge who should have no concern with politics. I

am tendering my advice as a citizen of India who wishes independence for his homeland and is convinced that it can attain independence only if the Allies win the war. You and I have worked as colleagues in the government of India for four years and have learnt to trust each other. If we two can agree on a system that works for three or four years, many problems arising in the future would be easier to handle. There appears no constitutional possibility of having elected ministers, the only available option is their nomination".

Sir James Grig agreed to my suggestions in principle. Sir Findlater Stewart and Sir John Anderson soon followed suit. At that stage I wanted to ascertain the chances of our suggestions meeting with their approval. I was told at the very beginning the Sir James would keep the prime minister apprised of the progress and Sir Findlater the Minister for India – and note their reaction as well. They told me to my great relief that the prime minister and the Minister for India both had agreed in principle. I had some apprehensions about the prime minister agreeing for he had opposed even the status of dominion for India in the joint parliamentary committee. Though that was about 10 years ago, even after taking over as prime minister he had taken no step to suggest that he was inclined to concede India's right to be free. The most encouraging part of my scheme, as it appeared to me, was that its approval practically amounted to conceding India's right to independence. Sir James Grig had a big hand in securing Churchill's agreement. Years earlier when Churchill was chancellor of exchequer, he had chosen Sir James as his private secretary where he won his trust. It was a result of that trust that after Churchill became the prime minister he selected him as his deputy minister for war and later full minister.

In the meetings, I had expressed an apprehension to Sir Findlater that the Viceroy, Lord Linlithgo, may not agree to our proposal. He agreed that consultation with the Viceroy was a must and for that the stage had arrived. The circumstances demanded to do at least that much as his opinion on the implementation of the scheme would, surely, carry weight. He could be directed to fall in line if he differed on the principle of it. I had known Sir Findlater

intimately over 12 years. He was a sobre and thoughtful man of few words. He normally avoided use of strong language but on that occasion he was so clear and emphatic that my confidence was reinforced. A few days later he told me that the proposal had been dispatched to the Viceroy.

Once it was known that the prime minister and the Minister for India had agreed to our proposal in principle, Sir James and I got down to consider the names of the prospective ministers. On some names we instantly agreed. For instance, Sir Rama Swami Mudliar as senior minister (practically prime minister), Sir Azizul Haq, then India's high commissioner in Britain (commerce minister), Sir V.T. Krishnamachari, then chief minister of Baroda state (finance minister).

Some other names were still under consideration when a situation arose that enabled the Viceroy to reject the proposal. That was Gandhiji's fast unto death. In protest Sir Homi Mody, Mr. N.R. Sarkar and Mr. M.S. Ani resigned from the Viceroy's council. The Viceroy then wrote to the Minister for India that to implement the scheme in such circumstances would send a message of weakness and would be risky as well. The reason for which I was summoned to London no longer existed, I started packing to return home.

***A conversation with prime minister Churchill about the successor to Lord Linlithgo*:** In a meeting I asked Mr. Churchill whether he had made up his mind about the next Viceroy. He said he hadn't and asked me whether I had a name in mind. I said in my opinion Sir Samuel Hoar would be the best choice. He said "no, no, don't you recall the views he expressed about India in the Round Table Conference"? "Surely, I do and I also know the views that you had then expressed", I replied adding "all that belongs to the past, the world has moved on". He then asked "what had come of Hoar's proposal, Hoar-Lavall pact was most imprudent". I submitted: "I entirely agree but any statesman can err. Sir Samual had paid a price for his mistake by resigning from the foreign ministry. And, further, wasn't Mr. Baldwin as prime minister also a party to that pact?"

Churchill then observed: "Don't you make a mistake. Baldwin was a singularly ignorant man. He knew nothing about foreign affairs or policy. All he was interested in was wining the elections at home. But I grant you – Sam Hoar is doing a good job in Madrid and I cannot spare him".

I said at the given time he could go straight from Madrid to Delhi. He had full grasp of the Indian issues and wouldn't have to spend six months in the India Office to study India's political history and its current problems. Mr. Churchill said he valued my opinion and would keep my suggestion in mind.

After that meeting with Mr. Churchill, the appointment of Viceroy came up for discussion at Sir John Anderson's home. There his wife asked me if I would agree that the selection of John would be appropriate. Sir John looked at me and said "but you are known to favour Sir Samual Hoar". I said: "I was in no position to interfere in the selection of the Viceroy. In Washington Lord Halifax had mentioned the name of Sir Samual to me and I had agreed with him that for the diligence and equanimity he had shown in the deliberations of the Round Table Conference and the joint parliamentary committee bore out his suitability for the post of Viceroy. Lord Halifax had then suggested that I should also state my view before the prime minister. I had done that".

On that Sir John fell silent leaving me amazed how some people thought occupying high offices, take note of matters trivial. It wasn't at all unusual for Sir John Anderson to aspire to be Viceroy. He had been governor of Bengal and had a good record in the Home Office. And as a minister of the government he was able beyond a doubt and was also on friendly terms with the prime minister. Surprising to me was the hurt he felt on the conversation that I had with Mr. Churchill.

Some time after that, Lord Wavell accompanied the prime minister on a trip to America as his military adviser. In that trip the prime minister formed such a good opinion about him that he selected him to succeed Lord Linlithgo. And when Sir Samual Hoar returned from Madrid he was made viscount in recognition of his effort to keep Gen Franco neutral in the war and became a

member of the House of Lords as Lord Templewood. On my visit to England in July 1947 I went over to see him. He received me with great courtesy and gave me a copy of his book "Nine Troubled Years". Our talks revolved round India's constitutional issues and I mentioned to him my conversation with the prime minister about his appointment as Viceroy.

"The biggest hurdle to the introduction of a federal constitution", he revealed, "was not the Congress but the rulers of the states. They were being shortsighted. Had the federal system under the 1935 Act been then applied to the central government, their rights as well as the rights of the Muslims would have been safeguarded for a long time to come. Now, the partition of the country will, somehow, take care of the rights of the Muslims but the princely rulers must go into extinction. That has come to pass. Had Mr. Churchill sent me to India as Viceroy in 1943 I would have surely succeeded in getting the federal constitution implemented. To bring the rulers round would not have been difficult. There could have been no problem in conferring the title of "his majesty" on the Nizam of Hyderabad and that would have satisfied him and the gun salute of the Maharaja of Baroda could have been increased. By obstructing the enforcement of federal system they voted for their own extinction. Had they acted differently, the history would have taken a different turn".

Oscar Burnler's imprisonment during the war: I had known Lord Lytton for a long time. His family had old connection with India. He was born in Simla, had been governor of Bengal and for a few months acting Viceroy. In course of time he came to know Oscar and both soon became fast friends. In the early months of the war no other restriction was imposed on him except for reporting to the police at intervals. In May 1940 as the Nazi forces advanced and French army, unable to withstand the on-slaught, surrendered all those who were not citizens of the allied powers were put under arrest. By then, though Oscar had ceased to be German citizen, he had not acquired the British citizenship. He carried the League of Nations' security passport but as he had fought on the

German side in the first world war he was arrested. To begin with he was kept in a transit camp at Liverpool and later shifted to a permanent camp in the Isle of Man.

I had been in London but for a few days when Lord Lytton came to see me and gave a detailed account on Oscar: "In May-June 1940 when the foreigners were being taken into custody, the government had constituted some committees to gather particulars of the foreigners and suggest the restrictions to be imposed. I was made chairman of the central committee which was to make recommend to home secretary Herbert Morrison. The committee's recommendation on Oscar was that being a scientist of high distinction he had no concern with politics nor had any link with the Nazis. I was confident that on the condition of reporting to police he would be released. After waiting for a while I learnt that the matter was under the consideration of home secretary, Mr. Morrison. I saw him more than once to reassure him but he refused and became all the more stubborn. I told him that as privy councillor I had the right of direct access to the king to tell him that the home secretary refuses to trust the recommendation of a privy councilor. He said he could not stop me from seeing the king but I should know that the king had no say in such matters. He plainly told me that the very things that were a source of assurance to me bothered him for Oscar was German by birth, had won the Iron Cross and made knight of Hohenzollern. The more I supported him more his suspicion mounted leaving him no choice but to resign from the committee. I have to come to assure you that I did my best but in vain".

Meeting with Oscar in his confinement: To visit the Isle of Man I sought permission of the home department through the India Office. When I mentioned my planned visit to Lady Anderson she found it had to believe that despite the war restrictions and bitter cold anyone would be undertaking the journey only to see a German friend confined in the foreigners' camp. She repeatedly asked me whether I was aware of the problems – meals were not

served in trains, icy weather, absence of lights which are only compounded in sea journey with danger added. And, further, what would I be gaining in an hour's meeting after all those hazards.

My reply was I could well imagine the difficulties of the journey. After all I had reached London safely travelling from Delhi to Karachi and onward to Cairo, Kharatoum, Stanlleyville, Leopoldville, Lagos, Accra, Natle (Brazil), George Town (Guiana), Miami, New York, Montreal, Gander and Glasgow. What greater difficulty could arise in a journey from Fleetwood by train and onward to Douglas by ship. The gain to me in meeting with a dear friend would be the satisfaction that I had not forgotten him. Lady Anderson's reaction was: "I can only say this much – you are an unusual man. I will anxiously wait to hear the account of your meeting when you return?" I promised to see her on return.

The rail journey went of well but arrival in Douglas was delayed by three or four hours because to get fuel the ship had to go round to three ports. Then after the passengers had boarded the tide ebbed leaving the ship stranded on the sand. The folk from the town came in a constant stream to see the spectacle. According to the schedule we were to reach Douglas by sunset but even departure by mid night seemed unlikely. The ship did not carry meals, only tea and sandwiches were available which in the circumstances was a boon. The ship had no cabins but the purser was kind enough to give me a pair of blankets and I went to sleep on a sofa in the smoking lounge.

I was in a deep slumber when somebody shook my shoulder. He turned out to be the superintendent of the foreigners' camp. He took me to a hotel. The camp being eight miles away, he said, he would come in the morning to take me there. At breakfast I learnt that Col Johnson who was martial law administrator of Amritsar in 1919 was also staying at the hotel but was extremely unwell. He died later in the day. At the appointed time, the superintendent took me to the camp in his car and arranged my meeting with Oscar in his office room. He told me that an officer would stay close to us as it was the requirement of the rules but we could talk freely. He set no time limit for the meeting. I thanked him for his

courtesy. Meanwhile, Oscar was escorted into the room. During our meeting tea and cake were served. Oscar appeared in good health. I conveyed to him Lord Lytton's message. Our conversation was restricted mostly to matters personal and lasted almost two hours. The superintendent insisted on accompanying me back to the hotel while I insisted he need not. The return journey was as scheduled, and comfortable.

The background of friendly relations with Dr. Oscar: My close friendship with Oscar dated back to my student days in London. After the first World War, when I went to Europe in 1924 one reason was to see him. On my visit to England in 1927, I learnt that he had left his country to live in London where I spent a good deal of time with him. On his frequent visits to India he would stay with me. When he came for the first time I took him round to see the places of interest. He also accompanied me to the annual Ahmadiyya conference at Qadian. Later, he told his friends that of all the places, the visit to Qadian had left a lasting imprint on his mind, the conference was the only one of its kind in the world, every visage there looked content and glowed as they met each other.

Dr. Oscar Burnler was not a physician but he had a thorough knowledge of human anatomy. Being an authority on the radial effects of electricity and light, he treated people through that technology. He was very skilful in exploring reproductive human organs through radiation and informed the patients of their condition in an instant and I never found any contradiction in his diagnosis. Once he went with me to Bangalore where he met Sir G.V. Raman. Later he told me that though he was most hesitant in subscribing to the views of Dr. Burnler, his unique knowledge needed to be subjected to research.

Detained in 1940, Oscar resumed his residence in London two years later. On visits to London I would stay with him. The passion for scientific research finally took him to America. While in New York in 1950 to attend a session of the UN General Assembly, I went to Los Angeles to see him. A year

later he came to see me at San Francisco where I had gone to attend a conference on peace with Japan.

While experimenting with light rays he was laid low for a long time. Then he wrote to me that he was vacationing at Sent Barbra. Soon after that I learnt of his death. He was a man to be valued for his personal qualities and morals. To me he was an affectionate friend like a brother:

دل بدرد آئید زہجرایں چنیں یکرنگ دوست

لیک خوشنودیم برفعلِ خُداوندِ کریم

Dil badard ayed zehhijr ainichanin yakrang dost

Lek khushnadeim bar falay Khudawande Karim

[The parting of a friend hurts deep in heart
I submit to the will of God ever so Merciful]

***Lord Lytton's grievance against me concerning Palestine*:** Released from prison, Oscar and I called on Lord Lytton and three of us spent some time together.

Three years after that Lord Lytton had a friendly grievance against me concerning not Oscar but the Palestine dispute. Lord Lytton was chairman of a Palestinian company and thus was deeply interested in the affairs of Palestine. Once speaking at the Royal Institute of International Affairs, Chatham, he said the Jews and Arabs could possibly agree on a solution. He also presented an outline of his plan. After his speech I sought permission to speak on the subject to say that the Zionists were continuously tightening their grip on the territory and were unlikely to agree to an arrangement that protected the rights of the Arabs. To illustrate my point I narrated a saying of Jesus Christ about the separation of husband and wife:

Those whom God has joined together,

Let no man put asunder

Altering its words I presented the evolving situation in Palestine thus:

Those whom God has put asunder let no man put together.

As I said it the hall resounded with laughter ruling out the possibility of any more serious discussion. After the meeting Lord Lytton in a sad tone said that by altering the words of Jesus I had neutralised the effect of his speech and thus wasted his labour. But I was not wrong in what I had said. The incident took place 25 years ago. The agreement is still nowhere in sight, there has been a war and another looms.

Sir Patrick Spence's appointment as Chief Justice of India in place of Sir Maurice Gwyer: As I arrived in London in the first week of January, the appointment of Sir Patrick Spence to succeed Sir Maurice Gwyer as chief justice of India was announced. I had imagined that my senior colleague Sir Srinawasa Dardachari who was an able judge and a learned jurist would be the new chief justice. A gentle and mild-tempered man he truly deserved the distinction of being India's first Indian chief justice and the British government would have been seen moving towards the independence of India. It left me wondering as to why Sir Maurice who in such matters was sympathetic to India failed to advise the government that Sir Srinawasa should succeed him.

I told Sir James Grig that Sir Maurice was a man of high intellectual caliber and it was my privilege to have worked with him and learnt from but I did not know Sir Patrick and whether he knew his worth. "Yes, I do," he said, "he is a member of the parliament, a barrister and friend of the Minister for India – that is all". "How has he been selected", I asked. "Haven't I told you already that he is friend of Emery".

Back in Delhi, Sir Maurice said the announcement of his successor must have saddened me. I said, indeed, it had for I expected him to throw his full weight behind judge Dardachari and the government could not but agree. "But

nobody ever asked me", he said, "I had waited anxiously to put across my view more emphatically but it didn't come to that. I had made up my mind on the death of Sir Shah Suleman that you should fill his place and when the time comes succeed me. And that was the reason I insisted then that I would recommend no one but you to fill Sir Shah Suleman's vacancy". While expressing gratitude for his thought, "I said I could not have ever expected to be considered in the presence of judge Dardachari. But an Indian having not been chosen as chief justice had saddened me a lot".

Return journey to India: The journey to India began on the fifth of March. Also travelling with me were Sir Azizul Haq and Sir John Colulijun who had been named the governor of Bombay to succeed Sir Roger Limlay. Sir Azizul Haq was going on leave. I knew then, though he didn't, that it had been decided to appoint him as commerce member of the Viceroy's executive council.

The flying boat took us to Shanon which did not then have a landing strip but the boat could land and take off from the river. There we were told that the engine of the boat had developed some defect. The passengers were taken to the nearest hotel – 16 miles away at Ovir. The hotel and the village with the land around were the property of the Earl of Dazlon and the hotel was named Dazlon Arms. His palace and park were also nearby.

The war regulations required that the flight between Shanon and Lisbon could be only during the night. Thus we were forced to spend the whole day at Ovir which offered little attraction except for an invitation to tea by Lord Dazlon. In the evening we left by coach for Shanon expecting the flying boat to take us on our onward journey. That was not to be and we returned to Ovir. An amused female manager of the hotel led us back to the rooms we had vacated.

As Ireland remained neutral in the war, Dublin had a resident German ambassador. Unexpectedly, there was no restriction on making telephone calls to London which the passengers liberally used for there was little else to do besides roaming around or playing cards.

The next day we were again taken back by coach to Shanon only to be greeted by the manager again with "the same rooms" which became kind of a joke. On the third day we hired the village's only taxi for a trip to the nearby town of Limerick. I had been there before and knew well there was not much to see but good enough to while away time. While on the round, the taxi driver pointed toward some air raid shelters. Somewhat amused I asked him from which side he felt threatened. Both sides, he replied in all seriousness. That made Sir Azizul Haq and Sir John both burst into laughter. The most interesting moment of our excursion came when returning and close to Ovir, the driver pointed towards a farm where a horse for the king of England was being reared. Reaching Shanon, we were told that the boat was all set to depart.

Leaving at 10 we reached Lisbon past midnight to put up in a hotel where we saw some military officers (who were dressed in civilian clothes, perhaps, to respect the Irish neutrality) heartily gorging themselves. A 12-hour flight from Lisbon took us to Bathurst, the capital of Gambia on the west coast of Africa. Three of us were invited to the government house where in the absence of the governor his wife hosted a dinner for us. Another 12-hour flight took us to Lagos where we had to stay for three days as guests of the governor general waiting for the onward flight.

***Foundation – stone laying ceremony of Ahmadiyya mosque at Lagos*:** The Ahmadiyya community of Lagos invited me to lay the foundation stone of their central mosque. The governor general and Sir Azizul Haq also attended the ceremony. In my address I tried to emphasise the place mosque occupied in the daily life of Muslims and its pivotal position in Islamic culture and social values. On return, Sir Azizul Haq said that it had dawned upon him for the first time that mosque was intended to be centre of community life in Islam in all its aspects rather than just a place to pray for those whose homes are not spacious enough or had some problem in praying at home and repaired to the mosque on Fridays.

Leaving Lagos we stayed the night at Leopoldville and the following day, instead of flying to Stanleyville, we were taken South to Elizabethville to be put up in a hospital. From there we went to Khartoum and stayed at the Residency as guests of the governor general, Sir Fredrick Hudston. The governor general arranged a special military aircraft for Sir John Colvel who was urgently required by Sir Roger Limlay in Bombay. Sir Azizul Haq and I however, had to stay another two days in Khartoum. That gave us an opportunity to visit Omdurman city that once was the headquarter of the Mehdi of Sudan, Mohammad Ahmad.

Meeting with two distinguished religious and political leaders of Sudan: I called on Al-Syed Mir Ghani and Al-Syed Sir Abdur Rehman, the two most prominent personalities of Sudan. Mir Ghani was old and orthodox while Sir Abdur Rehman lived in a modern house. He was son of Mohammad Ahmad al-Mahdi and an infant when his father died. He was fluent in English. Both gentleman received me with great courtesy.

***Federal Court of India*:** The federal court had limited jurisdiction. Its original jurisdiction could be invoked only in disputes between two provinces or between a province and the central government. The civil or criminal appeals against the decisions of the high courts could be heard only if interpretation of the constitution was involved. The governor general could also call upon the court to give its opinion on important legal issues.

I remained judge of the federal court from September 1941 to June 10, 1947. During that period its original jurisdiction was not invoked even once and only one reference for advice was made by the governor general on a point of law. The question to be determined was whether the central government was authorised to impose estate duty under the government of India Act 1935. Appearing for the governor general was Mr. Moti Lal Sitalwad, a very able lawyer. From among the lawyers who use to appear in the federal court, in my

view, he was the ablest with the sole exception of Sir Aladi Krishnaswami Ayer, advocate general of Madras. Later, Mr. Sitalwad became the attorney general of independent India and in that capacity appeared in the World Court in a dispute between India and Portugal.

In the matter of estate duty the difficulty Mr. Sitalwad encountered was that at the time the federal court's opinion was sought, the government had not been able to decide as to how the levy was to be collected and whether the levy was to be on the deceased or his heirs. My view was that the purpose of any tax cannot be inferred from its nomenclature alone. If it were to be so, the federal government or a provincial government could impose any tax it desired by giving it the name that fell in its authorised list. In such a case, I enquired from Mr. Sitalwad, who would be recovering it. His reply was that point remained to be decided. The same was his reply to all other such questions.

His final submission was that all such details would be decided only after the government got to know whether the tax lay in its jurisdiction or not. The federal court, I observed, would be able to answer the question referred by the governor general only after it came to know of these details for no opinion could be based on the nomenclature of the tax. I declined to be a party to the advisery opinion on this very ground that on the particulars provided by the government it was not possible to determine the nature of the tax. The chief justice and justice Dardachari however opined in the circumstances as far as they could imagine the proposed tax lay in the jurisdiction of the federal government. I am still of the view that an opinion that was based on conjectures could not be of any use to the government.

***Sir Maurice Gwyer, Chief Justice of India*:** In hearing the appeals that came up from the high courts, I do not recall an instance where I had to differ with Sir Maurice. The possibility of dissent was only minimised by the fact that he was an independent-minded man with not the slightest inclination to favour the government. Secondly, he was free of racial prejudice of every kind.

The validity of a rule framed under the Defence of India Act was questioned in one particular appeal. Representing the government was the attorney general, Sir B.L. Mitra, who had earlier been the law minister. After hearing the arguments, the court was unanimously of the view that the rule was invalid as it went beyond the authority conferred by the Defence of India Act. Sir Maurice at no stage felt any problem in subscribing to this view.

In another appeal besides the constitutional point, the question of inciting hatred against the government was involved. During the hearing, Sir Maurice spoke to me that once the legislative assemblies came into existence, inciting hatred against the government became a duty of the opposition. For instance, he said, if in the provinces the parties in opposition were not to incite hatred against the majority in the assembly, or during elections were not to arouse the sentiments of the voters against the ruling party, there would be no possibility of a change in the ministry. He went on to elaborate that the country having entered a constitutional phase a fresh interpretation of this crime was required. And it would be but appropriate that the meaning placed on this crime in India should be the same as in England, that is, the words forming the basis of the offence should be creating not just hatred against the government but also threaten the breach of peace. In the judgment of the court this viewpoint was clearly spelled out.

Sir Maurice suffered from arthritis after he had retired from the court. The disease kept aggravating but he took deep interest in India's educational activities as president of the central education board. In that capacity he also once came to Qadian as my guest and had a close look at the educational institutions run by the Ahmadiyya organisation. It left a deep imprint on his mind that in a short time and without asking for a penny every adult was enabled to read and write and every child went to school. Dr. Sir Ziauddin later told me that Sir Maurice highly eulogised this achievement of the Ahmadiyya community in the central education board and wondered why big cities could not do what had been done in a distant town through voluntary effort. This very passion

persuaded him to become the vice chancellor of Delhi University without pay as long as his health permitted.

When pain became unbearable, Sir Maurice could not help but return to England where he took up residence in a flat on the East Bourne coast. On a visit to England I went over to see him. By then though he was unable to walk still on the request of the lord chancellor, was busy in reviewing the rules of the supreme court. His secretary told me that his health no longer permitted him to work at a stretch. That was my last meeting with him.

After Sir Maurice's departure, I had to disagree with the fellow judges so frequently as to earn the sobriquet of a dissenting judge. I cannot claim that whenever I disagreed I was necessarily right, or that my colleagues were wrong, but I must say I followed only that course which I thought was right. As far as I can recall, my dissenting opinion always went against the government. I had no score to settle with the government. I always felt naturally inclined, and such has also been my training, to follow the law and path to peace.

In performing my duty I never tried to favour anyone. Using the discretion that Allah had bestowed on me, I chose only that course which appeared to conform to the law and dictates of justice. Favouring or opposing any party was not ever a consideration. As I took the oath of office as judge, on the front page of my notebook I wrote in my own hand the underlined portion of the verse of the Holy Quran:

يَـٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ كُونُوا۟ قَوَّٰمِينَ لِلَّهِ شُهَدَآءَ بِٱلْقِسْطِ ۖ وَلَا يَجْرِمَنَّكُمْ
شَنَـَٔانُ قَوْمٍ عَلَىٰٓ أَلَّا تَعْدِلُوا۟ ۚ ٱعْدِلُوا۟ هُوَ أَقْرَبُ لِلتَّقْوَىٰ ۖ وَٱتَّقُوا۟ ٱللَّهَ ۚ إِنَّ ٱللَّهَ
خَبِيرٌۢ بِمَا تَعْمَلُونَ ﴿٨﴾ سُورَةُ المَائِدَة

O ye who believe! Be steadfast in the cause of Allah, bearing witness in equity; and let not a people's enmity incite you to act otherwise than with justice. Be always just,

that is nearer to the righteousness. And fear

Allah. Surely, Allah is aware of what you do.

By the grace of God it is deeply imbedded in my nature that the likes and dislikes of a judge must have no bearing on his decisions. Since in matters criminal, the burden of proof to the end lay on the prosecution, I would not hold a charge proved unless the prosecution had fulfilled its responsibility without a flaw.

***A judgment holding the governor general's ordinance unconstitutional*:** During the political disturbance of 1942 special tribunals were created at certain places in Bihar and UP under an ordinance of the governor general empowering district magistrates to assign the riot cases, as he deemed fit, to special tribunals. The validity of this ordinance was questioned in a criminal appeal before the federal court. When it came up for hearing the chief justice was on leave and Justice Srinawasa Dardachari was acting in his place. Besides me the third judge, an Englishman, was a judge of the Patna high court temporarily working as federal judge. He, too, was on leave, convalescing in Kashmir. He had to cut short his leave to return to Delhi. Sir B.L. Mitra was appearing for the government. The matter had assumed special importance because the district magistrates had started assigning cases to the tribunals in large numbers which, as a rule, resulted in convictions.

From the critical observations made by the chief justice and by me in the first three days of hearing, Sir B.L. Mitra could make out that we were not in favour of upholding the justification of the ordinance. On the fourth day Mitra submitted that a telegram had been received from the Minister for India that some accused convicted by a special tribunal had applied for permission to appeal in the privy council and the minister had directed his law adviser not to oppose it. Since in that petition the question of the validity of the ordinance had also been raised, it would be reasonable to assume that the permission will be given and the question may soon come up before the privy council. Since appeal

against the order of the federal court would also go to the privy council, he had requested in behalf of the government that the hearing of the appeal should be put off till the privy council's decision. The third judge said that he was surprised to hear of the plea for adjournment for he was temporarily appointed in the federal court on the ground that the matter being very important had to be immediately heard. "I had to cut short my holiday in Kashmir to return to the heat of Delhi. The hearing has been going on for three days and, seemingly, the critical comments of my fellow judges have made the government feel that the verdict might go against hence it, wants the hearing to be put off. The application, in my view, is improper", he observed.

I asked Sir B.L. Mitra whether he could produce a copy of the Minister for India's telegram. He looked towards Mr. Shiviks Lal, joint secretary law, sitting next to him. When he violently shook his head in the negative, Mitra said the copy could not be produced. I then asked him how could he, by any reasoning, expect the hearing to be put off when he wasn't prepared to produce the very telegram on which he based his request.

The adjournment application was rejected and hearing continued. After hearing the arguments of the parties at length, both the acting chief justice Dardachari and myself formed the view that the clause of the ordinance that empowered the district magistrate to choose any case out of a particular category cases for transfer to special tribunal amounted to investing in him the power to enact the law. That only the governor general was authorised to do under the constitution. That particular clause, we held, was unconstitutional and consequently rendered the other clauses inoperable. The third judge disagreed. The judgment was by majority.

The plaint of the wife of the Mharaja of Nabha against the government of Madras and some police officials: Fallen from grace, Mharaja of Nabha was made to abdicate in favour of his son and exiled to Madras with his movements restricted to the municipal limits of Kodai Canal hill resort. While the Mharani

chose to live with her son, some loyal advisers and servants accompanied the Mharaja to Kodai Canal. One among them was his physician. The exiled Mharaja after some time married his daughter who on her own assumed the title of Mharani though the government recognised the Mharaja's first wife as such. The second wife bore him a daughter.

The ex-Mharaja was required to inform the police superintendent before going out of Kodai Canal's municipal area but not so his wife and daughter. Once they decided to go to Madras but an informer wrongly informed the police superintendent of the time and date on which the Mharaja himself would be leaving Kodai Canal by car for the railway station to take the express train for Madras. The police superintendent instructed the Kodai Canal sub-inspector to detain the Mharaja at the station and not let him board the train. The Mharaja's wife and daughter went to the station and as they waited for the train a sub inspector accompanied by two constables stopped them form boarding the train in pursuance of the superintendent's order. Though the secretary tried to explain that there was no restriction on the movements of the ladies, the sub inspector wouldn't listen. After the train had departed he reported to his boss the detention of the Mharaja's wife and daughter and sought further instructions. The superintendent said only the Mharaja was to be detained. The sub inspector's reply was that only women had come to the station and not the Mharaja. The superintendent then told him to apologise to the ladies and tell them that they were free to leave.

Making this particular incident a basis, the Mharani and her daughter sued the police officials for illegal detention and demanded compensation. Their defence was that it was a sheer mistake in pursuance of official duty and, in the circumstances, the suit for compensation did not lie without official approval under the Government of India Act. Agreeing with the plea that court of first hearing dismissed the suit and the Madras high court upheld the order. On the plaintiffs' appeal to the federal court, the chief justice and justice Dardachari upheld the order of the high court but I dissented.

I had once come across the wife of the Mharaja when I was a minister in the government of India. I was somewhat cheesed off by her behaviour when she, accompanied by her secretary, walked into the drawing room of my official residence upsetting my purda – observing wife who had hurriedly to leave the room. In this background I could not have been helping her. I argued that the police would have had some justification for detaining an unconcerned man taking him to be the Mharaja if it had received a report that he was planning to go out of the municipal limits – without informing the superintendent of police – but not the wife and daughter of the Mharaja who were under no restraint whatever. The superintendent's plea was that he had ordered the detention of only the Mharaja and not of the womenfolk. The sub inspector's contention was that he was ordered to detain not the Mharaja but his wife.

My view was that detention of the Mharani was a blatantly unauthorised and unlawful act admitting of no mistake. My fellow judges, however, held the view that the sub inspector, perhaps under the advice of his counsel, had taken a false plea. That persuaded me to write in my dissenting note that the court was bound to determine a disputed fact on basis of the written statements of the parties as they were, and not as the judges assumed should have been.

Creation of the Indian Institute of International Affairs: The discussions in the 1933 Toronto conference and further persuaded by Mr. I.W. Mukaddam made me think about having an institute of international affairs for India. I spent a good part of the year 1934 in England. During that period many opportunities arose for me to participate in the activities of the Royal Institute at Chatham House. Later, in May 1935, as member of the Viceroy's executive council I came across a number of people at Delhi and Simla who were interested in international affairs. In consultations spread over some months, the creation of a similar institute for India became a distinct possibility. As a Punjabi proverb goes *Jehra boley oei buwa kholey* (one who answers the knock must also open the door) the responsibility of being its president was placed on me. The

inaugural meeting of the council was held at 6 King Edward Rvad – my official residence. The Marquis of Lothian who then happened to be in Delhi spoke on the occasion evoking great interest.

Dispelling misconception about Islamic veil: In the summer of 1936 a goodwill mission from South Africa led by minister Hoffmeier came to Simla. He addressed the institute at my official residence "The Retreat".

A member of the mission asked me whether I was married. On an affirmative reply he asked whether my wife was present at the reception at the Cecil hotel held in their honour the previous evening. On my reply in the negative he asked me whether she was not in Simla. I said "she is in Simla but remains behind veil and does not go to male gatherings". When he wanted to know the reason for it I briefly explained the Islamic injunctions on the segregation of sexes.

After a brief discussion, I offered to take them to the bedroom my wife in the state she had left it before going out with my mother to a women's party. I offered to take Mr. Hoffmeier and any other member who so wished to her room to see for themselves how our women lived under the restriction of veil. All of them showed interest and I led them upstairs. The doors of the rooms were all open. In a small room next to the verandah, that had walls of glass on three sides, in front of a wooden easel lay the unfinished sketch of a hilly scene that my wife was painting and on the dressing table the make-up kit. Spread in a corner was a prayer mat and books lay in a shelf. Every room had a view of the peaks and valleys. I asked the gentleman who had raised the question of veil his impression. He said not him alone, all of them were of the view that if the segregation was as they had witnessed it, they were all for it.

They imagined the women behind the veil lived like prisoners confined to the four walls of their homes not allowed to step out, did nothing besides the household chores nor took interest in the world beyond. Later, when I narrated the incident to my family, my wife said "wasn't it a violation of purdah or

privacy to have brought men to our private quarters?" My reply was "actions are judged by intentions – my action had dispelled the misconceptions of the visitors about just one aspect of our culture."

***My speech in support of India's independence at the Royal Institute of International Affairs at Chatham House*:** In March 1945 the Royal Institute of International Affairs organised a conference of the commonwealth countries at Chatham House. A delegation of the Indian institute also attended it. The members of the delegation, besides me, were Kunwar Sir Mharaj Singh and Khawaja Sarwar Hasan. The leader of each delegation was asked to give a five-minute account of war effort in their countries. I spoke for three minutes to explain how two and a half million Indians in one or the capacity had been supporting the British and allied troops in their fight for freedom and integrity, not hesitating even to lay down their lives.

Hawing said that I addressed them on these lines: "O the statesmen of the Commonwealth, isn't it an irony of fate that two and half million men should have been fighting valiantly to safeguard the independence of the United Kingdom but their own country – India – should still be waiting and begging to be free? Here an example may help explain the state of their mind: In area and population China, no doubt, is bigger than India. But, leaving that aside, in every other way be it education, trade, Industry or communications, indeed by all other criteria, China is miles behind India. How is it, then, that while China is counted among the big powers of the world, India stands nowhere? Isn't it because China is free and India is a colony? But it cannot be that way any longer. India has woken up and craves to be free by remaining in the Commonwealth if you agree and by leaving it if you leave no other course open".

As the delegates came out of the Chatham House, the people were seen eagerly buying the evening papers which carried the above-quoted part of my speech in full and in bold letters. The Congress leader Asif Ali later told me that at the time I spoke at Chatham House he, Pundit Jawharlal Nehru and some other

Congress leaders confined in Aurangabad Deccan Fort were listening to the proceedings of the conference on the radio. When they heard me raise my voice to say "O you statesman of the Commonwealth" everybody sat up to listen and Pundit Nehru, in particular, brought his ear close to the radio. As I ended my speech Pundit Nehru said "this man has warned the British Government much more daringly than we do".

***My speech on independence for India at the British government's dinner reception for the delegates of the Royal Institute Conference*:** The same evening the British government hosted a dinner for the delegates at the Claridge's Hotel. Lord Cranborne who was then the Lord Privy Seal (on the death of his father he became Marquis of Salsbury) was the host. Barring prime minister Churchill, all other cabinet ministers including the deputy prime minister, Mr. Attlee, and lord chancellor, Lord Simon, were there. Proposing a toast Lord Cranborne dilated on certain aspects of the importance of the conference. On behalf of the guests a light-hearted response came from Canada's Mr. Stanford using his position as the editor of a paper. The responsibility of a more serious response fell on me.

Since my speech that afternoón had been widely publicised, the expectation was that I would say more on that very topic. Before going to the dinner I had heard it said that the British government alone could not be held responsible for delay in India's independence for it was handicapped a great deal by the Hindu-Muslim differences. Referring to it I said in my reply: "The British government cannot escape its responsibility by making the Hindu-Muslim differences as a pretext. During the war it had found solutions to many of its other problems. Is India the only issue in which Britain finds itself helpless? No doubt difficult, the British statesmanship should not find itself helpless in finding a solution. If the Hindu-Muslim differences are indeed the biggest hurdle in resolving this issue, Britain can demonstrate its commitment by announcing a date by which if the parties fail to come up with a proposal for the resolution of

their differences, the British government on its own may promulgate and enforce a constitution conferring dominion status on India. It would be an interim constitution. As soon as the parties are able to agree the parliament would review and promulgate a permanent constitution. Thus not India alone, the whole world would feel compelled to concede Britain's good faith".

At the end of the reception many among ministers showed keen interest in my proposal. Lord Simon, Lord Chancellor, suggested that as soon as possible I should go over to the House of Lords to discuss it at greater length over lunch. Two days after these speech, as I walked from my hotel to the Chatham House, I came across the leader of the Liberal party, Mr. Clement Davis, who was also headed for the conference. As he saw me, he congratulated me because, as a result of my speeches, the cabinet had summoned Viceroy Lord Wavell to London for consultation. But it was still confidential and I shouldn't mention it to any one.

I bowed my head in submission to Almighty Allah for my humble effort to bear fruit. Lord Wavell came to London and struggle for the independence of India entered its final phase.

***Hospitality extended by a Lord Astore to the delegates of the conference*:** The president of the Royal Institute of International Affairs then was Lord Astore. Though ailing, he invited the delegates turn by turn to spend a weekend at his country home at Clivedon in the vicinity of Maiden Head. The view of the Thames river from its windows is picturesque. The first class return train tickets were sent to the delegates and coaches arranged to take them from the station to the palace.

Lady Astore had been Mayoress of Plymonth and was also a member of the parliament. American born, she was held in esteem both in America and England. Though a friend of Churchill, Lord Astore was his intense rival in politics. Mr. Churchill loathed her political activities. Once, together at a party, Lady Astore said to Churchill. "Winston, if I were your wife I would mix poison

in your tea". Churchill's spontaneous reply was: "Nancy, were it to be my misfortune to be your husband I would have gladly drunk it".

As the delegates arrived in Clivedon, Lady Astore welcomed us and apologised that Lord Astore himself could not play the host because of ill health. After lunch she said we could while away our time a strolling in the park or the river bank. She herself, she said, was going to the Canadian hospital to see the patients and we were welcome to accompany her.

She turned toward me to ask what would I be doing. I said first of all I would like to say my prayers in the corner of a room after aboloutions. She led me to a bathroom and then to her family lounge. Hung on the walls there were the photos of eminent men in silver frames. Pointing to one she asked me if I knew him. "I know him very well", I said, "he is the Marquis of Lothian. Together we attended the Round Table Conference and later he came to India as chairman of the suffrage committee and on a later visit he also inaugurated the Indian Institute of International Affairs at my house in Delhi. He was a very able man".

She asked me if I knew how he died and went on: "When he was Britain's ambassador in America, he fell unconscious with a severe stomach pain. To ask for medical help was against his principles. He died before regaining consciousness. Thus was lost a precious life. He was a very good friend of mine. Some outspoken people use to say he was in love with me". I interjected "why should you mind, half the world is in love with you". She said "that is what you think you should see the hate mail I get". "That is the other half", I said; "You have a ready with", she said, now get down to pray" and walked away.

Labour Party comes to power in the parliamentary elections after Germany's defeat: In those very days, Germany surrendered. The war ended in England but continued against Japan. Mr. Churchill wanted the coalition government to continue till surrender by Japan but Mr. Attlee did not agree.

Therefore, elections had to be called. I happened to be in England then. Attlee's party won and he became the prime minister. Inaugurating the new parliament on the 5th of August, the King announced that the new government would initiate steps leading to India's independence. Exactly two years later that announcement was given effect.

Pundit Nehru's offer to me to represent India in the United Nations: I was still in England when I received a message from Pundit Nehru that I should join the delegation that was to represent India in the UN session at San Francisco. I was hesitant in accepting the offer for, by then, it had not been decided whether or not the Muslim League would join the interim government. I regretted. Accepting the regrets, Nehru wrote to me that he had assigned that duty to Mr. Chhagla.

Palestine dispute: The Palestine issue had been of special interest to me from the very beginning. During the First World War the British government had promised to the Arabs that if the Arab countries supported the Allied powers against Turkey, they would be all granted independence after the Allied victory. Some special arrangement, however, may have to be made for the area west of Damascus, Hamas and Halb as France had some special responsibilities for these territories.

A pact on these lines was signed between Sir Henry MaCmohan and Sharif Hussain. After the war, Iraq and Palestine came under the British mandate while Syria and Lebanon went under France. On Britain's Balfour Declaration, King Hussain (grandfather of the present King) protested that it was in violation of the treaty. Responding to that Britain dispatched commander Conaurdy to Jeddah to assure Shah Hussain that Balfour Declaration did not contravene the treaty and should, in no manner, adversely affect the rights of the Arabs. Shah Hussain not only accepted the clarification but to demonstrate the Arab

hospitality went on to say that if the Jews were to come as guests the Arabs would welcome them and respect their cultural values.

By 1934 Zionism had acquired firm foothold in Palestine and its influence was on the rise. The Arab lands gradually passed under the control and use of the agents of Zionism. At the same time Germany came under the sway of Hitler and the hard-pressed German Jews started migrating to Palestine. Zionist activities in Palestine, thus, gained momentum.

While in England in the summer of that year I expressed my concern to Sir Samuel Hoar, Minister for India, on Zionists gaining strength and Arabs weakening by the day. Since responsibility for that state of affairs lay on the British government, it must take effective measures to put the matters right. One such measure, I proposed, could be to prohibit by law the transfer of the Arab farmland to non-Arab buyers. Sir Samuel said he wasn't fully in picture but would suggest to Sir Philip Kenliflister, minister for colonies, to call me over to hear my viewpoint and consider doing what must be done to allay my apprehensions. Some days later the minister for colonies called me over. As we met he said he had also asked Sir Arthur Inchcape, the high commissioner for Palestine (he then happened to be in London) to join the meeting to hear what I had to say.

I explained at some length to both what I had already told the Minister for India briefly. The minister for colonies said that my information about the Arab lands passing under the control of Jews was correct but only the Arabs could stop it. What could the government do, he asked. I said the government could stop it by law. He said such an extraordinary action would cause quite a commotion.

Zafrulla Khan: But the conditions are extraordinary and Britain's responsibility is also extraordinary and onerous, in addition.

Minister for Colonies: As far as I know no such law in force anywhere in the world. How could I persuade my colleagues to agree to it?

Zafrulla Khan: If the need for a law is established, no precedents are necessary but such a law, indeed, exists in the Punjab province of India.

Minister for Colonies: That could be of help, what is the law there?

Zafrulla Khan: Under the Punjab Transfer of Lands Act, agricultural land cannot be transferred to a non-agriculturist buyer.

I went on to elaborate the circumstances which gave rise to the Punjab law, the manner of its implementation and also put across my views on some aspects of the Palestine issue. The minister thanked me and said he and the high commissioner both would consider my suggestions. His reaction deeply disappointed me. I got the impression that though Sir Phillip had agreed to see me on the suggestion of Sir Samuel, he had no sympathy whatever with the Arab cause.

It was to be another five years before the British government turned its attention to the ever-complicating Palestine problem. After a good deal of research and investigations a plan was hammered out and published as a white paper. The plan had two important ingredients: The entry of Jews should be barred and, as I had proposed, the mutation of Arab agricultural lands in favour on non-Arabs should be stopped. About the number of the Jewish immigrants, the white paper proposed that after another 75,000 had arrived, the entry of more Jews should be only with the consent of the Arabs.

No restriction was proposed on the mutation of urban lands but permission of the government was needed for putting residential land to industrial use. The publication of the white paper somewhat assured the Arabs but the Jewish lobby severely protested. The British government was yet to issue an order to give effect to the provisions of the white paper when the World War-II broke out diverting attention from Palestine. During the war the Jewish stranglehold increased complicating the problem further. The Zionist recruits formed a full brigade in the British army that remained intact till the end of the war.

The war came to an end when, after Germany, Japan also surrendered. On the way back from England I went to Damascus after stop-overs at Cairo and Beirut. Accompanying me on this leg of the journey was Syed Mohiuddin Al-Hasny, elder brother of Nuruddin Al-Hasny. Staying at their home and meeting with all five Al-Hasny brothers and other Ahmadis made me feel Damascus like my home.

***Allama Alsheikh Abdulqadir Almaghrabi*:** During my stay in Damascus I called on Allama Almaghrabi. He was a master of lexicon occupying an exalted position among his contemporaries. He had played host to the Ahmadiyya Imam on his visit to Damascus in 1924. Later, whenever my travels took me to Damascus I made it a point to call on him which pleased him a great deal. Once while in Damascus I was told that he had gone to Cairo to see Iraq's ambassador there. I, too, went there. Enormously pleased, he told the ambassador that the Ahmadiyya community was exerting a lot in disseminating the message of peace. On a later visit to Damascus Syed Muniruddin Hasni told me that Sheikh Almaghrabi was recovering from an injury in a car accident at Cairo. We went over to see him. As always he was very happy to receive us. When I enquired about his health he said "my bones are brittle and my hair is gray".

The cup of life seemed full to the brim. He died soon after that.

In Damascus I had an opportunity to visit a number of ancient and Islamic monuments and pray at the graves of Hazrat Zaccharia, some family members of the Holy Prophet and his companions, Sheikh Mohiuddin Ibne Arabi and Salahuddin Ayubi, the Conqueror.

Mohiuddin and Mnuiruddin Al-Hasny accompanied me to Haifa and on to its hilly suburb of Kababir which had a large and devout Ahmadiyya community. From Kababir we went to Jerusalem and put up in Eden hotel. There some Arab elders who came to see us suggested we shift to Villa Rose Mary, an Arab hotel, to converse more freely. I shifted there and during my three-day stay

tried to understand the Palestine issue in all its aspects in discussions with the Arab leaders. The most detailed exposition of the problem came from Mr. Henry Kitan, one of the most distinguished jurists of Palestine.

Passing through some Jewish settlements on the way back from Kababir to Jerusalem, I had a look at their institutions and specially went over to see the settlement of the Russian communists Jews. There I had an exchange of views with Dr. Colen of the Jewish agency. Judging by the speed at which the Jews were digging heals in the soil, I could foresee the rout of the Arabs who were selling their lands of their own volition to the Jewish agencies. The industry and trading companies fast coming up on the Arab lands sold to the Jews were all dedicated to the interests of the Jewish immigrants. The benefit to the Arabs, if at all, was passing making it obvious that in course of time they would become utterly dependent economically on the Jews. It worried and saddened me.

At the end of the war the British government invited the Arab and Zionist leaders to London in a bid to find a solution to the Palestinian problem. Since the Arab delegates were not prepared to sit with the Zionists, Mr. Ernest Bevan, foreign minister, talked to them separately. Later Mr. Bevan stated in the United Nations that just when as a result of his efforts the two sides appeared close to a settlement, President Truman sent a telegram to the British government that a hundred thousand Jews should be immediately allowed to enter Palestine. The telegram was widely publicised. It flustered the Arab delegates and encouraged the Zionists. The hope for a settlement faded away.

The British government took the dispute to the UN. The General Assembly constituted a commission to assess the situation and report after talking to the two sides. India was also included in the commission. Sir Abdur Rehman who had been a judge of Madras high court, later also of Lahore high court and after independence a judge of the Supreme Court of Pakistan was also named its member. Deposing before the commission Mr. Joseph Sheron (later foreign minister of Israel) stated that "Mohammed (prophet of Islam, peace be

upon him) had committed an atrocity by expelling three of our tribes from Medina".

At that time, it seems, either Sir Abdur Rehman was not there or was not attentive enough otherwise by questioning Moshe Sheron he could have made him confess to the torture and treachery that the Jews had long perpetrated against the Holy Prophet persuading him to expel their tribes from Medina. The commission recommended that Palestine should be partitioned.

***My nomination by the government of India as a judge of the International Court at the behest of Pundit Nehru*:** A few days after my return to India Sir George Spence, the Law Secretary (he had also worked with me in that capacity) came to see me. He said Pundit Nehru wanted a judge from India to be elected to the newly-created international court. His feeling was that such an attempt could succeed if I were to be nominated. He had come to get my consent. I was hesitant but agreed on Sir George's insistence. The election of the judges took place in the Jan 1946 session of the Assembly at London. I got the majority vote in the Assembly but in the Security Council I was up competing against Mr. Bohdam Venyarski, a jurist from Poland. He won the majority in the second or third ballot. He remained a judge of the International Court of Justice for 21 continuous years and its president for three years from 1961 to 1964. He retired on February 5, 1967 and died in November 1969.

***The Cabinet Mission*:** No agreement could be reached between the Muslim League and the Congress till 1946 though the British government had announced that India would be soon independent. At that time, as far as one could guess, prime minister Attlee was not at all inclined to partition India. He was in search of a solution that was acceptable both to the Congress and Muslim League while India remained a unified entity both politically and economically. In the spring of 1946 he entrusted this task to his three colleagues – Lord Pathic Lawrence (Minister for India) Mr. Alexander (minister for navy) and Sir Stafford

Cripps (lord privy seal). They were required to go to India to find a solution to the Indian riddle by consulting the leaders of the two political parties and other political forces.

Lord Pathick Lawrence had been deeply interested in the Indian affairs and was a long-standing supporter of India's independence. Sir Stafford Cripps was viewed as the ablest man in the British cabinet and was counted among the supporters of the Congress. His earlier efforts as a representative of the British government had failed to resolve the tangle. Mr. Alexander was sympathetic and cordial by nature but had little to do with the Indian politics before his nomination.

The Cabinet Mission earnestly got down to its work despite Delhi's unusually hot summer and spared no effort in achieving its objective. The differences between the two political parties had assumed such complexity that no section of the society expected the Mission to succeed. But the exertions of the Mission and Minister for India's youthful vigour in old age met with success. The Muslim League and the Congress both agreed on the final shape of the plan proposed by the Mission. The Quaid-e-Azam had some problem in securing the consent of the League's council but it gave in and approved the Mission's proposals. The country heaved a sigh of relief after years of conflict and effort – but it was not to last.

The Cabinet Mission Plan as accepted by the Congress and Muslim League:The brief outline of the plan was as follows: 1, Bengal and Assam; 2, Punjab, Sind, Balochistan and N.W. Frontier; 3, all other provinces were to form three regions and each region was to have its own regional government and the country as a whole was to have a federal government to which the three regions were to be linked. The authority of the central government was to be restricted to foreign affairs, defence, communications and finances related to these subjects. All the remaining subjects and departments were to belong to the regional governments.

This arrangement was to remain in force for ten years. At the end of that period, regions 1 and 2, either of the two or both, if they so chose were to be free to break away from the federation and form their own independent government. About region number one it was also provided that if the regional assembly decided to separate from the federation to form its own government, the members representing Assam by majority vote could decide whether or not they wished to remain in the region. If they voted to leave region 1, they would merge in region 3.

Maulana Azad resigns from the presidentship of the Congress and Pundit Nehru is elected to succeed him: Till the approval of the Cabinet Mission Plan, Maulana Abul Kalam Azad was the president of the Congress. Once the Congress gave its approval to the plan Maulana Azad, thinking that a solution had indeed been found to the country's difficult and complex constitutional tangle, resigned from the presidentship of the Congress and proposed Pundit Nehru to succeed him and canvassed for his election. In the circumstances that later evolved, he described it as the most damaging action of his political career.

Gandhiji's and Pundit Nehru's own interpretations of some clauses of the Cabinet Mission Plan:No sooner Nehru was elected the Congress president, he announced his own interpretation of some of the clauses of the Cabinet Mission Plan. For instance, he declared that the Plan permitted Assam not to join region no.1 and instead join region no.3 at the very outset if the assembly of the province so voted. This interpretation was wholly against the content of the plan and its wording. But Pundit Nehru in his capacity as president of the Congress stubbornly stuck to it as also to some other similar interpretations. Having agreed to the Plan, the Congress through its new president practically denounced it. The Quaid-e-Azam was left with no choice but to declare breach of trust by the Congress and that he was no longer a party to the implementation of the plan.

Viceroy Lord Wavell then invited Gandhiji and Pundit Nehru to seek their assurance that they were amenable to implement all clauses of the plan as envisaged in the text and not insist on their own peculiar interpretation. But they refused to agree and insisted that they had accepted the plan in its entirety and were ready to implement it but insisted that to interpret it was their privilege even if their interpretation was contrary to what the members of the Mission had intended.

Gandhiji's reply was that the Mission having done its job, its intention did not at all matter. It was for the Congress to interpret it. On that the Viceroy observed that once the Muslim League and Congress both had accepted the plan it became a pact between the two. Both parties, therefore, must agree on its interpretation Gandhiji and Pundit Nehru wouldn't agree even to that and kept insisting that interpretation was their job and the plan must be implemented as they interpreted it.

Their stand was unique for its unreasonableness and everyman of normal thinking would have found it hard to believe coming as it did from two honourable men. The Viceroy's conversation with Gandhiji and Nehru is reproduced verbatim by Mr. Mosley in his book "Last Days of the British Raj" for all to read.

***Prime Minister Attlee's last ill-fated attempt to keep India united*:** The Cabinet Mission's bid to keep India united thus aborted, prime minister Attlee invited Quaid-e-Azam and Pundit Nehru to London in the dying days of 1946. Quaid-e-Azam took along Nawabzada Liaquat Ali Khan and Pundit Nehru, Sardar Baldev Singh. Even this last attempt failing, Mr. Attlee came to the conclusion that there was no alternative to partition.

From this account of the efforts of the Viceroy and prime minister it can be surmised that either the Congress was not sincere in accepting the plan in the very first instance or having accepted it realised that they should not have

accepted it in the first instance. Thus, instead of owning the responsibility of rejecting the plan, they tried to get rid of it by resorting to interpretations. The history may, one day, enlighten us about this puzzle but the later events proved that the Congress leadership had always used "interpretation" as a convenient tool for resiling from agreements.

British government's declaration on partition of India: On 20th of February 1947 prime minister Attlee made a statement that partition of the country had become inevitable. But as His Majesty's government was already committed to the transfer of power to India, the process of implementation would be to hand over the powers of the government in full either to the provinces or to any other parallel authority till the completion of the partition process. While feeling assured by Attlee's statement that the British government had finally agreed to Pakistan coming into being, I was somewhat perturbed by that part of the declaration which in the interim phase envisaged the transfer of all powers to the provinces.

For the Quaid-e-Azam to have accepted the Cabinet Mission Plan was a proof of his statesmanship. The plan gave the majority ten years to win the trust of the minority through impartial conduct and fair treatment. That to me was an assurance to the Muslims that in free India their legitimate interests will be protected and their sentiments respected. Despite experience to the contrary, for the Quaid-e-Azam to have accepted the formula was a demonstration of the fact that his stand was neither dogmatic nor born of obstinacy.

The later events showed that some elements in the Congress had agreed to accept the Cabinet Mission Plan in the expectation that the Muslim League would reject it and responsibility for the failure would lie on the League and weaken the demand for Pakistan in the eyes of the British. Once the Muslim League accepted the plan, the Congress started looking for ways to scuttle it. Either way, to a discerning eye, responsibility for the failure lay on the Congress and the demand for Pakistan gained momentum.

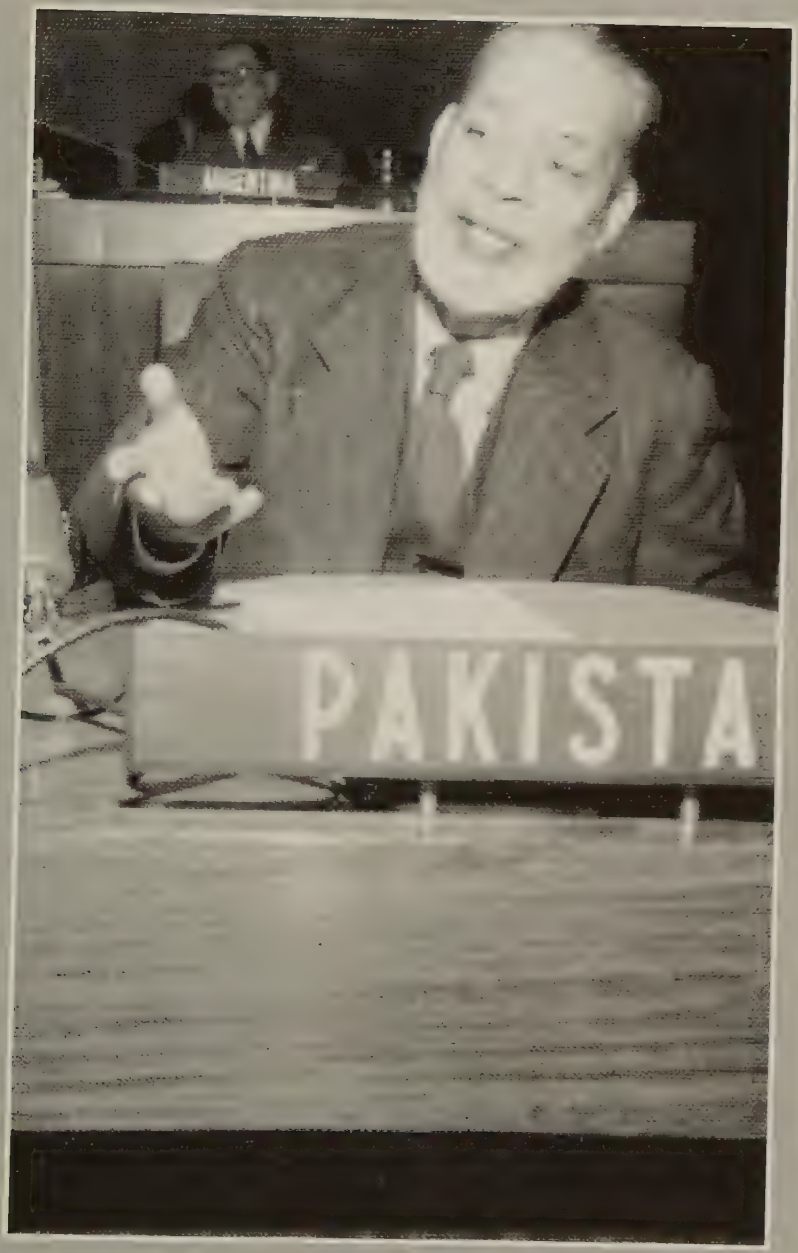
The first phase of Mr. Attlee's declaration which envisaged the transfer of power in the interim to the provinces caused me particular anxiety about Punjab.

***Resignation of Malik Khizar Hayat Khan as premier of Punjab*:** On the death of Sardar Sikandar Hayat Khan, Malik Sir Khizar Hayat Khan became the Punjab premier. The complexion of the unionist party, however, was fast changing with Muslims on the decline and non-Muslims ascendant. The Muslim League with its strengthened organisation tried to remove the government through non-cooperation. In that it did not succeed but surely rose in the public estimation. The mass support it gathered was more visible in the urban areas.

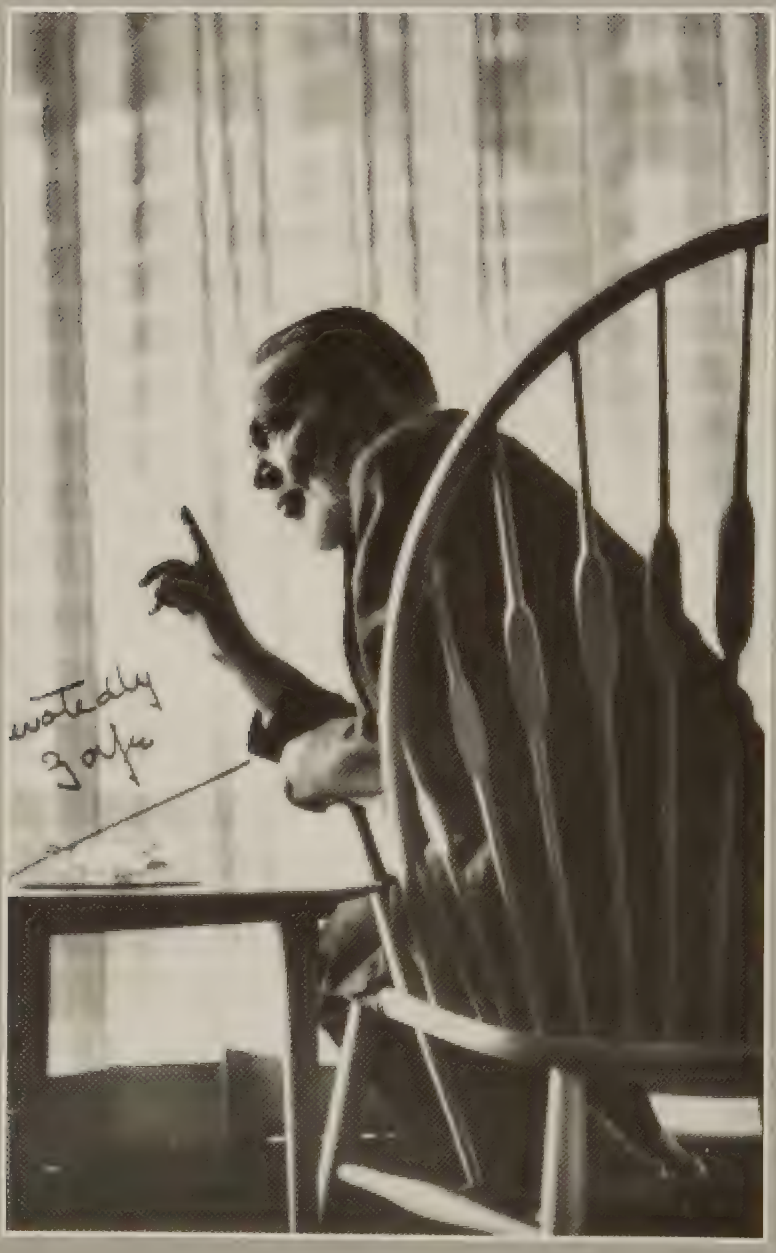
Even before that the Quaid-e-Azam had been persuading Sir Khizar Hayat to join the Muslim League but hiding behind the "Jinnah-Sikandar Pact" he did not agree. The Quaid-e-Azam did not consider that a valid excuse. Khizar's standpoint was that the demand for Pakistan related to the federal government and he fully supported it. But considering the situation in Punjab, the Unionist party which was non-communal and formed to pursue economic objectives was fully capable of safeguarding the rights of the Muslims in the province.

While this argument was going on, an announcement by the British prime minister on 20 February 1947 made it possible for the subjects relating to the provinces, but vesting in the centre, to be transferred to the provincial governments. By that time, non-Muslims who had mustered majority in the Unionist party could have created hurdles in the way of the Muslim League and emergence of Pakistan.

I had known Malik Sir Khizar Hayat Khan since long and was on friendly terms with him. As long as I was a minister in the Indian government, we frequently met at Simla but much less after I joined the federal court and stopped taking part in active politics. However, it did not lessen my interest in national affairs. In the critical situation then prevailing, I felt intensely persuaded



Pleading the Arab cause at the UN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to explain it to Khizar Hayat Khan that the demand for Pakistan no longer remained a exclusive concern of the central government after the prime minister's announcement that the powers of the central government could be assigned to the provinces. Therefore, if all powers were to vest in a party that had majority of non-Muslims would weaken Pakistan.

Not being in politics nor well informed about the Punjab situation, I was hesitant in tendering any advice to him which he might construe as an uncalled for interference. However, more I thought of the prime minister's declaration, greater was my anxiety. The dilemma lasted for full two days and two nights. Rare have been nights when I did not go to sleep in peace. Those two I could not. On the third day I wrote a letter to Khizar Hayat reminding him of his bounden duty at that critical moment to resign from the Punjab ministry and make way for the Muslim League.

On the third day Khizar rang up to acknowledge my letter and agreed with me in principle but needed to consult his brother (Nawab Sir Allah Bukhsh Tiwana) and also Muzaffar (Nawab Sir Muzaffar Ali Qizilbash) in my presence. For that, he suggested, I should make a short trip to Lahore. I went over and two of us together saw Nawab Sir Allah Bukhsh who was putting up in a tent in the garden of Khizar's home.

He asked for his opinion on the contents of my letter. Nawab Sahib said: "I reiterate today what I had told you earlier that I fully agree with Zafrulla, the right course for you is to resign".

Khizar Hayat then rang up Nawab Muzaffar Ali Qizilbash. On being told that he had gone to his estate, Khizar sent his car to fetch him. As he arrived, Khizar sought his opinion on my suggestion. Nawab Qizilbash's reply was: "We have thwarted Muslim League's non-cooperation movement and our position in the assembly is unassailable. The budget session is about to commence. I tend to agree that we should resign but after the budget is passed".

Reacting to that Nawab Allah Bukhsh said: "The point up for consultation is not when to resign but whether or not to resign now. To decide

now to resign one and half or two months later is purposeless. Who can predict the course of events in the intervening period and the evolving conditions? Further, if we were to decide today to resign after the budget is passed, the party would split and the resignation lose all meaning. And if we were not to tell the party members now, get the budget passed with their support and then resign against their wishes they must feel cheated. We should decide whether to resign or not to resign straightway. My view is you should, the rest is up to you".

Malik Khizar Hayat called a meeting of the party at his residence the same afternoon and went over to see the governor, Sir Evan Jenkins, to tell him that following prime minister Attlee's announcement he felt it was time for him to resign and if he maintained the same view after consultation with the party, he would call again in the evening to convey his decision. The governor said it was entirely up to him and in the prevailing circumstances he would not like to influence his mind. Still he wanted to know whether it was his own decision or at some one else's behest. Khizar's reply was the decision was his own but he was so advised by Zafrulla Khan.

The Unionist party met in the evening. I wasn't in the meeting but the rumblings of a heated debate reached my room. At dinner Khizar told me that the non-Muslim members were greatly upset on the decision and tried to convince him that his decision was wrong. But he told them in plain terms that the prime minister's announcement left him no other alternative. After dinner he went over to see the governor, handed in his resignation and at the same time advised him to call upon Nawab Mamdot, leader of the Muslim League, to form the government.

A wave of joy swept through the Muslim League circles as the news of resignation was announced on the radio. Next morning, the city echoed with slogans of "long-live Khizar Hayat". Led by Raja Ghazanfar Ali and Sardar Shaukat Hayat, the Muslim League leaders in large number came to the house of Malik Sir Khizar Hayat to congratulate and garland him. Quite to the contrary, the non-Muslim circles were greatly perturbed. Their protest demonstrations

spread across the province resulting at places in communal riots. I returned to Delhi the same day.

The leaders of the provincial Muslim League tried hard to persuade Khizar Hayat to join the Muslim League but he let it be known that he was keeping out of politics lest he should be seen to be seeking a ministry or political recognition in any other manner. The evidence of his goodwill for the Muslim League came in his advice to Nawab Muzaffar Ali Qizilbash to join the party. He did that.

Whether Sir Khizar Hayat's previous standpoint was right or wrong is a different matter but there should be no doubt that his resignation at that stage was an act deserving highest accolade. It cleared the way for Muslim League government in the province and a stable Pakistan. Had he not resigned, many problems could have arisen. As opposed to that, after Pakistan came into being he was not given even that much of a fair and just treatment as any other citizen.

Lord Mountbatten's appointment as Viceroy: On the arrival of Lord Mountbatten, preparations began in earnest for transition to independence through various stages. The ups and downs of 1947, the manoeuvers and intrigues failing or succeeding, humanity at the peak of glory and falling to new lows, the year left behind bitter memories and wretched behaviours. It would need an honest, truthful, diligent and God-fearing historian to recount all that. Such a man, for sure, will be born one day.

Resignation from the federal court as partition is announced: I decided to part company with the federal court as soon as the British prime minister announced the plan to partition India. In my resignation letter I set the date of June 10 for my departure. My intention then was to go back to my law practice at Lahore. However, it so happened that H.H. Nawab Sir Hamidullah Khan, the ruler of Bhopal, who was then camping at Delhi suggested that I should spend some time at Bhopal to be available to him for consultation during the difficult

transition. Since I had been a recipient of Nawab Sahib's favours on earlier occasions as well, that one was like an order for me. Therefore, on being relieved from the court I went straight to Bhopal. Since I had no idea about the duration of my stay there, I had packed all my personal belongings in 17 large boxes and dumped them in the house of a friend in Old Delhi. What happened to that I never came to knew. In the lawlessness that followed it would have been hard-hearted to enquire about the baggage when human dignity, safety and the life itself had lost all meaning and people in hundreds of thousands were subjected to every conceivable brutality.

In Bhopal I lived in great comfort in a furnished villa. As the time approached for the parliament to consider the Indian Independence Act, His Highness suggested that since I knew quite a few British parliamentarians I should go to London to provide any clarification in the course of the debate which could possibly safeguard the interests of the rulers of the Indian states.

***Quaid-e-Azam's direction that I should present the Muslim League case before the Punjab Boundary Commission*:** As I was getting ready to leave for England, a message was received that the Quaid-e-Azam wanted me to reach Delhi. As I went to see him he said he wanted me to plead the case of the Muslim League before the Punjab Boundary Commission. I said I was there to comply but I was all set to leave for England on the direction of the Nawab of Bhopal and had no idea when the proceedings of the commission would start and how much time I would get to prepare the case.

Quaid-e-Azam: For how long would you stay in London?

Zafrulla Khan: About a fortnight, I guess

Quaid-e-Azam: No worry then, it would be quite some time before the commission meets. As yet not even an umpire has been appointed.

Zafrulla Khan: About the umpire I would like to submit we should insist on the appointment of a person whose integrity we can fully trust. During your stay in London you have been practicing at the Privy

Council. You would agree that the Lords of Appeal, by tradition, are considered to be most honest and impartial in discharging their functions. You must insist on the appointment of one from among them. Every human being is prone to go wrong but we must feel assured that the person selected would not give any decision under the influence or pressure of anyone in authority or at the behest of a friend.

Quaid-e-Azam: I will bear your suggestion in mind.

Zafrulla Khan: Sir, have you been given an idea how much time I would get to prepare the case?

Quaid-e-Azam: You will get enough time. The lawyers in Lahore would have prepared the case for you to martial the arguments and how to put them across.

Zafrulla Khan: On return from London I would go straight to Lahore. whom should I contact there?

Quaid-e-Azam: Nawab Mamdot will arrange everything.

Taking leave of Quaid-e-Azam. I left for London and was present in the visitors' gallery when Prime Minister Attlee introduced the Independence of India Bill in the House of Commons. The prime minister's speech was very clear and categorical but it surprised me and also caused anxiety on one account. He said that though "we (British government) had desired that Lord Mountbatten should be the first governor general of both countries but, sadly, Mr. Jinnah does not agree". I did not like the expression of sorrow by Mr. Attlee on Quaid-e-Azam's refusal because it wasn't necessary to go into that detail but if in Mr. Attlee's opinion it was necessary, it would have been appropriate to say only this much that there was no agreement on the proposal. By naming the Quaid-e-Azam in his expression of sorrow, he made evident his personal grievance against him (Quaid-e-Azam) to the House. Later, on quite a few occasions he spoke or acted in a manner to reinforce my impression. Even otherwise, Mr. Attlee was not known for his good manners.

Sir Samuel Hoar who during the Round Table Conferences was the Minister for India (later he was minister for navy and still later minister for foreign affairs) but had to resign in consequence to the Hoar- Laval Pact by then had come back from Madrid after a diplomatic stint. In recognition of his services in Madrid he was made a viscount and at that time was a member of the House of Lords as Lord Templewood. I went over to see him and stated the purpose of my visit to London. He said he would make an attempt to get the matter (of the rulers of the states) clarified in the House of Lords. So, when the Independence Bill after approval by the House of Commons came up for discussion in the House of Lords, Lord Templewood asked whether the clause in the Bill relating to the rulers of the states was intended to empower the rulers after independence to accede either to India or to Pakistan or neither of the two and may choose to remain independent.

The sponsor of the Bill in the House of Lords, Lord Listowell, did not expect this question to be raised hence it upset him a bit. The prime minister had all along been very careful that nothing should be said in the debate on the Bill about the rulers of the states which puts the tail of the Congress up. The wording of the clause was explicit and its correct interpretation could be no other than set out by Lord Templewood in his question. But a prevaricating Lord Listowell in reply just nodded in the affirmative. Lord Templewood lost no time in getting the "nod of the head" recorded as "I take it that the noble Lord's nod confirms my assumption".

Radcliff's appointment as chairman of the Boundary Commission: I was still in London when the appointment of Sir Cyril Radcliff as chairman of the Boundary Commission was announced. It caused me great anxiety. Sir Cyril was a practicing barrister and a member of the parliament who could be amenable to a variety of influences. Earlier his name was proposed by the British government to preside over an arbitration tribunal established in connection with the partition of the country. But Sir Patrick Spence, chief justice of the federal

court, was considered more suitable for that important assignment of judicial nature.

It is also a known fact that in the first instance it was contemplated to entrust the crucial task of boundary demarcation to the United Nations. The Quaid-e-Azam supported the proposal but Pundit Nehru wouldn't agree hence it had to be abandoned. On my advice, the Quaid-e-Azam had proposed the appointment of three judges of the Privy Council as members of the Boundary Commission which Lord Mountbatten brushed aside on a ridiculous pretext that the ageing judges of the Privy Council wouldn't be able to withstand the heat of India.

Failing an agreement, the nomination of the chairman of the Boundary Commission was left to the British government. Mr. Attlee again nominated Sir Cyril Radcliff and Lord Mountbatten prevailed upon the Quaid-e-Azam to agree. Keeping in view the circumstances in which India was being partitioned and the vast judicial powers that were proposed to be invested in the chairman of the commission, the nomination of Radcliff by the Attlee government was wholly inappropriate especially when his nomination earlier was not considered appropriate for an equally important judicial assignment.

***Appearance before the Punjab Boundary Commission*:** Cutting short my stay in London to the bare minimum, I reached Lahore a day ahead of my estimate. Nawab Mamdot and many other dignitaries were present at the railway station. Nawab Sahib told me that Lord Radcliff was already in Lahore and had summoned the counsels of the parties the next day at 11 O'clock. Nawab Sahib also told me that my meeting with the Muslim League lawyers had been fixed at his residence at 2:30pm. That somewhat assured me that, though the time was short, the lawyers must have prepared the case and with their advice, the grace of Almighty Allah and His guidance, the outline of the case should be ready before the hearing.

Nawab Sahib said I should be putting up with him. I told him I had already arranged to stay at the house of my old benefactor Sir Syed Maratab Ali which was not far from his house. As far as I can recall it was a Monday evening. The next day we went over to see Sir Cyril Radcliff. The members of the commission Justice Din Mohammad, Justice Mohammad Monir, Justice Mehr Chand Mahajain and Justice Teja Singh Singh were also there. Explaining the programme of the commission, Sir Cyril directed the parties to file their written statements by Friday evening and the commission would hear the arguments of the counsels from Monday. He himself would not sit in the hearing of the arguments for his intervention would not be necessary if the four members of the Commission unanimously, or by majority, proposed the demarcation of the boundaries. He would intervene only if the four members, unanimously or by majority, failed to reach a decision. He would keep getting detailed daily reports of the submissions made before the commission. This procedure also caused me anxiety.

Preparation of the written statement in behalf of the Muslim League: It was already mid-day Tuesday. The written statements were to be filed in the Tribunal by Friday afternoon. Till that time I did not know who among the lawyers were to work with me and whether they had compiled the material for the written statement and how far they would assist me in preparing the arguments. Till then I also had not been told about the plea that we had to take. I waited anxiously for the 2:30 pm meeting with the lawyers to know all these matters and get down to work in earnest with them. I reached Mamdot Villa at the appointed time. Quite a few lawyers were already there. I had worked with, and known, most among them from my practice days at Lahore high court. Some among them were years senior to me. The large gathering in the drawing room of Mamdot Villa made me wonder why so many lawyers had come. I asked who among them would be working with me in this case. "What case"? Khalifa Shujauddin enquired? I said the very boundary case for which I had come.

Khalifa Shujauddin said "we are not aware of any case. All that we have been told is that you would plead the case for the Muslim League before the Commission and we have been invited to see you here".

I looked askance at Nawab Mamdot. He just chuckled. I rose in dismay apologising to the assembly of lawyers that the time was short and I must get down to prepare the case. Nawab Sahib came out of the room with me. I told him that I just cannot imagine what to do. Nevertheless, a written statement must be prepared in the next two days and then muster arguments in support. The next day I shall have to start dictating. All that I asked of him was to send across next morning two alert and skilful stenographers alongwith paper, pen, pencil, inkpot, typewriters, etc. so that I may start writing. Nawab Sahib told me not to worry as by 7 in the morning men and material will reach my place. I thanked him and came back to the place where I was putting up to kneel in prayer before the Lord of the Universe. "Alone, humble and helpless and a heavy burden of responsibility", I begged of my Maker, "how could I shoulder it alone? You know I am but a cypher and all power resides in You. Out of Your abundant mercy and grace bestow on me understanding, give me strength and be my Guide and Helper".

During the times I practiced law, often in a short time I had to prepare and argue complex cases but that caused me no anxiety. All the necessary documents were at hand and, in important cases, a colleague was there to help. To study the material for and against, only concentration was required. Here the responsibility was enormous but nothing else. Were the Quaid-e-Azam to be in Lahore I could have gone to him to seek instructions. But he was in Delhi. I could have reached him by phone but it would have been improper to get such a sensitive advice on phone. At the same time I was conscious that since the responsibility for the preparation of the case lay on the Lahore Muslim League, speaking to the Quaid-e-Azam would feel like complaining, cause him anxiety but in no way help me.

***Answer to my anxious, imploring prayers*:** As I finished praying, Khawaja Abdul Rahim came calling. He was then commissioner of Rawalpindi but looking after the Lahore refugee camp. His office was in two tents pitched in the lawn of a house across the road. Khawaja Sahib said he wouldn't take much of my "precious" time but only leave some papers and maps containing the official figures of the population of each religious community in villages, police stations, Tehsil and districts of the Punjab province, He had collected this data out of his personal interest and possibly could be of help to me in preparing the case. He also offered any other assistance that he could render. I thanked him heartily.

Khawaja Sahib left handing a treasure of information I so desperately needed. I felt encouraged that Allah the Merciful and Mighty Who had instantly answered my prayers would also come to my help in the stages ahead for without His guidance I could not see way ahead nor cope with the task entrusted to me.

The people who served voluntarily and selflessly: After Khawaja Sahib left, four lawyers came – from Montgomery (now Sahiwal) Sahibzada Nawazish Ali and Sheikh Nisar Ahmad, Syed Mohammad Shah from Pakpattan and Chaudhry Ali Akbar from Hoshiarpur. All of them offered to work with me and assist in whatever way I wanted. It was yet another favour from Allah to have inspired four sincere and sturdy men to offer help and advice to me. From among the Lahore lawyers Ahmad Saeed Kirmani would drop by every now and then to attend to my needs. May Allah abundantly reward them all.

All of my four colleagues worked with me day and night with full commitment diligently and efficiently. They bore every hardship cheerfully with not a hint of fatigue. Their advice was a source of encouragement to me at every step. The duty of Chaudhry Ali Akbar was to verify and provide all information related to population. He discharged it commendably undeterred by the intense July heat of Lahore. He would return exhausted, present his report and fall prostrate on the floor to rest for a while. During the debate on population before

the commission for the verification of the disputed figures from the census organisation, Chaudhry Ali Akbar represented our side. Every time the figures quoted by us proved correct. That also went to prove that the census maps and data given to me by Khawaja Abdur Rahim were compiled with great care.

Determination of unit for "areas of contiguous majority": After Khawaja Sahib had left and the lawyers had arrived, the first task we took up was to study the official statement relating to the scheme of partition. Analysing it, we reached the conclusion that proposing a "unit" would be necessary for determining the "areas of contiguous majority". A village possibly couldn't be a unit for in many areas while one village had Muslim majority the next had non-Muslim. The village, thus, could not be made a basis for any sensible demarcation. The police station as a unit also presented the same difficulty in many areas. The choice therefore lay between tehsil (sub district) and district. Among ourselves we also decided to refer to the commissioner's divisions and *doabas* i.e. tracts between two rivers.

In those days the newspapers of the province were full of speculation about the Muslims claiming majority up to Ludhiana and non-Muslims up to Jehlum. In the provisional demarcation all districts of Rawalpindi, Multan and Lahore divisions with the exception of Kangra were included in West Punjab. If we were to suggest district as the basis, Amritsar would go. An apprehension was also expressed that if we were to suggest district as a unit, an inference might be drawn that we were prepared to settle for less than what was conceded already in the provisional demarcation and the area proposed to be given to us may be further reduced.

If tehsil was to be made a unit, the result would have been that while two tehsils of Ferozpur and two tehsils of Jallundar – Nawan Shehr and Jallundar – had Muslim majority, to the east in the adjacent Wasoha tehsil of Hoshiarpur district neither the Muslims nor the Hindus and Sikhs were in majority – the balance was held by the Christians. The Christians of the tehsil had sent a

memorial to Sir Cyril Radcliff that they should be counted with the Muslims. By making tehsil a unit, Muslims would have been in majority in five tehsils - Ferozpur, Zira, Nawan Shehr, Jallunder and, Christians included, Warosha. The adjacent Kapurthala state also had Muslim majority. The Muslims were in majority in Ajnala and non-Muslims in Taran Taran and Amritsar tehsils. But if Ferozour, Zira, Nawan Shehr, Jallunder tehsils and Kapurthala state were to be incorporated in Pakistan, Amritsar and Taran Taran would have ceased to be contiguous non-Muslim majority areas as on all four sides they were surrounded by Muslim majority areas. In Gurdaspur district, Batala, Gurdaspur and Shakargash tehsils had Muslim majority but Pathankot tehsil had non-Muslim majority and so it was in the contiguous Kangra tehsil and Hoshiarpur district.

After deliberation all of us were inclined to propose that tehsil should form the unit. But we couldn't have gone by our own inclination for we were preparing the case in behalf of the Muslim League and the decision lay with the League. Nawab Mamdot was the president of the Punjab Muslim League. In his traditional humility and indulgence, he would invariably consult his advisers and go by their advice. He would not bother even to know the details of such matters much less deliberate over them. Closest among his advisers in those days were Mian Mumtaz Khan Daultana and Sardar Shaukat Hayat. Sardar Sahib was unwell. I asked Mian Sahib as to what unit should we press to made a basis for determining "the contiguous areas". His reply was who would understand it better than me and whatever I proposed would be the best. I told him "this decision must come from the Muslim League, I am but an individual and my position is that of a counsel. I shall have to go by the direction given by the Muslim League". He then asked for my opinion. I briefly explained to him the trend of my thinking and that of my colleagues. "This is the right view, nothing could be better" was his response.

***Speculation after the partition*:** After the partition a variety of speculations arose without a basis in reality. It was said that since the major part

of Nawab Mamdot's jagir (fiefdom) would have fallen in Pakistan if the tehsil was made a unit, he pressed for it. This allegation had no basis at all. As far as I know, Nawab Sahib was not at all aware of these details and, if he was, he never said a word to me about it, I never asked him nor he even indirectly hinted at it. The fact is that the conditions in the province then were fast deleriorating, the people were agitated and apprehensive. It was hard for the leaders of the province to think of such important matters much less prepare in advance. Hence it was not easy to decide. The events that later came to light were then behind a screen of secrecy. Those who lay claim to wisdom today, one wonders why were they quiet or hibernating then.

***Preparation of the case*:** After long consultations with the colleagues and once they left, after a meal and prayers, I had to spend long hours in checking the statistics and in preparing notes on various aspects of the official declaration. In short, Tuesday was a day of great anxiety. By the time I went to bed, calm had descended on me on the thought that God in his infinite bounty had made available the basic data and provided sincere colleagues bringing a ray of light in the dark of ignorance. I got ready early on Wednesday morning. It was past 7 O'clock but the stenographers promised by Nawab Mamdot had yet to come. While waiting for them I studied some more papers. At 8 O'clock I rang up Khawaja Abdur Rahim for help. In a moment he called back to say that by nine his two stenographers would be with me. They turned up even before that. I started dictating the statement to them. Meanwhile, my colleagues also arrived. They would intervene to advise or correct me as I dictated. Both stenographers were experts in their craft. They worked with great commitment and sincerity to facilitate our task. Nawab Sahib's promised stenographers did not turn up till the end nor a word came from him.

Ahmadiyya Imam's invaluable help in the preparation of the Muslim League case: The Imam of the Ahmadiyya community was camping at Lahore in

those days. On Wednesday afternoon his emissary, Maulana Abdur Rahim Dard, came inquiring as to when he the Imam could come over to tell me about some important aspects of the partition plan. When I offered to go over, the emissary said the Imam did not wish to distract my attention from the crucial task in hand, hence he would come. The Imam came and handed to me copies of some important references relating to the principles of partition. He had also sent for the original books from England and, if received in time he said he would pass them on to me. He also told me that an expert British professor of defence strategy whom he had invited at his own expense had already arrived and was busy in preparing maps and other documents. He would brief me on the defence aspect after I had compiled the written statement. The books were received just in time and were of great help in the arguments and Prof. Spatt had also fully explained to me the defence dimensions.

The counsel for the Hindus, Mr. M.L. Sitalwad, had forcefully demanded the area up to River Jehulum to meet India's defence needs. But he could not back the demand with any cogent argument as I presented the maps prepared by Prof. Spatts and explained their significance. The Imam remained present during the arguments to help me with his prayers.

Justice Din Mohammad's disclosure that demarcation of Punjab Boundary stood decided in higher quarters and the Boundary Commission's proceedings were a mere charade: On Wednesday Justice Din Mohammad came over in the evening. Looking greatly distracted, he said "prepare the statement and argue as well as you may but I have come to tell you that the proceedings are no more than a farce, demarcation of the boundary has already been decided and so it shall stand". I asked him as how had he come to know of that. He then explained: "Yesterday after you people had left, Sir Cyril Radcliff told us that the next day he would inspect the surrounding area by flying over it. I told him that if he was going alone to see the disputed boundary area he must necessarily form an impression. But as an umpire it was incumbent on him to base his decision on

the material presented to the commission and sent onward to him. And how the commission would come to know of the impression that he formed during the inspection. Sir Cyril then said that the plane provided to him could not carry many passengers. Still if we insist any two from among the members could accompany him. It was decided that one Muslim and one non-Muslim would go with him."

Justice Din Mohammad continued: "The departure was fixed for seven this morning from Walton airstrip. When everybody had gathered there the pilot announced that he was ready to fly but the atmosphere was so hazy that we wouldn't be able to see anything from the air. Sir Cyril then cancelled the flight. I had seen the instructions for the flight given to the pilot. A line indicating the course of the flight was marked on the instruction sheet. I am sure that the line of the flight was the boundary line that had already been fixed by the people above.

"Radcliff had been in the sub-continent hardly for a week. He had spent a few days in Calcutta. For boundary demarcation in Punjab, the parties had not even submitted their written statements before the commission from which he could have inferred which areas were indeed disputed. From the arrangements made for him to fly over a marked course through the disputed area (before Radcliff had even seen the written statements) it was safe to infer that he ahd already been briefed by some quarters and, perhaps, the boundary line proposed had also been given to him that excluded a big area where Muslims were in majority – more particularly Batala and Gurdaspur tehsils.

"In a situation where the boundary line had already been fixed over our heads, it would no longer be appropriate for me and Munir to remain a part of a farcical commission. I am leaving for Delhi tonight to narrate all this to the Quaid-e-Azam and seek his permission for myself and Munir to resign from the Commission".

From the incident narrated, I told him, obviously the boundary had already been decided and commission was just for a show. He must go to Delhi but while placing the matter before the Quaid-e-Azam he must bear in mind that

he had a legislative mind and he (Din Mohammad) must give a legal reason for his resignation, otherwise he would not agree. Din Mohammad then asked me whether I had a legal excuse to suggest. I said he should say that we had accepted Sir Cyril Radcliff as umpire and will be bound by his decision. But it was a duty of the umpire that in reaching his decision he must not feel bound by the opinion or advice of any other person. From the instructions given to the pilot of the plane it appeared that the umpire had been advised by some one that the boundary for the division of Punjab should be the one that was shown on the flying-instruction sheet. Hence, it was our right to ask the umpire his reasons for the flight and also enquire as to who had advised him about the path of the flat and what was its significance. If his reply revealed that it was on the advice of someone else, we could take the plea that we could no longer trust the impartiality of the umpire, hence the Pakistani members of the commission resign from the commission. Justice Din Mohammad said he would try his very best and inform me about the result of his meeting with the Quaid-e-Azam on return from Delhi.

By Thursday evening the draft statement was ready. I rang up the residence of Sardar Shaukat Hayat but was told he was ill with 102° degree fever and was unable to attend the call. Then I rang up Mian Mumtaz Dalultana to tell him that I would have liked him and Sardar Shaukat Hayat to see the draft but since Sardar Sahib was unwell he must come over to see it. He came. I gave him the draft to read and amend as he wished. He said whatever I had written must be correct and he need not read it. I implored him to read the draft carefully and criticise freely so that while pleading for the Muslim League I have the satisfaction that I was going by the direction of the party. On my insistence Mian Sahib read through the draft with minute concentration, appreciated its contents as he went along and observed at the end "no written statement could be better".

Filing of the written statement in behalf of the Muslim League: On Friday morning I had a second look at the draft before it was faired out.

Returning from Delhi, Justice Din Mohammad came straight to my place to say that the Quaid-e-Azam had not agreed to the resignation proposal and had directed that all of us should do our best and hope for a right outcome. Sheikh Nisar Ahmad handed in the final version of the statement at the office of the Boundary Commission at mid-day.

Argument to no avail before the Boundary Commission: The rest of Friday, Saturday and Sunday were spent in mustering and martialling arguments. Mr. Motilal Sitalwad, who later became India's attorney general, argued from the opposite side. Assisting him were distinguished Hindu lawyers with Bakhshi Tek Chand in the forefront. On the day the arguments ended, Mr. Sitalwad was guest of Sheikh Abdul Haq Advocate at tea in the afternoon. There he told Sheikh Sahib "if the decision on the boundary line is to be based on arguments, you folk will win". But the commission was a charade and arguments before it were to serve no purpose.

Sir Syed Maratab Ali's selfless, traditional hospitability: During my stay in Lahore, my respected and esteemed host Sir Syed Maratab Ali spared no effort in looking after me and my colleagues. All of us felt highly indebted to him for his kindness and favours. Since in those days his house had become a centre for Muslim League's representation before the commission, his hospitality expanded to please him evermore. He also arranged transportation for everybody for commuting between the court and his house. In short, not the minutest detail of hospitality ever escaped his personal attention. He rendered all that service and courtesy voluntarily at a time when everybody was only for himself.

Apprehensions of Quaid-e-Azam: I was still in Lahore when I received a message from the Quaid-e-Azam that the commission's work over, I should see him before proceeding to Bhopal. Out of abundant affection he invited me to dinner, embraced me as I arrived and said "I am extremely happy and grateful to

you for performing the task that was entrusted to you with great ability and skill." During the dinner the conversation centered around the principles and procedure of the petition. Taking leave of him I left for Bhopal.

***Radcliff's unjust decision on the Punjab Boundary*:** The decision on the demarcation of boundary was delayed till the 17th of August. In Bhopal, I was stunned to hear the announcement on the radio. The boundary was fixed more or less on the same line as had been decided before the written statements were filed with the commission and which Radcliff proposed to inspect from the air but could not because of bad weather.

As stated earlier the map of the aborted flight path had fallen into the hands of Justice Din Mohammad and made him believe that the dividing line giving some Muslim majority areas, especially Gurdaspur and Batala tehsils, had already been decided and the proceedings of the commission were a mere charade. Radcliff had been in India just for six days. He arrived in Delhi on 8th of July and after a two-day stay had gone to Calcutta in connection with the Bengal Boundary Commission. From there he came to Lahore on the 14th.

It is beyond belief that in his two-days in Delhi he personally studied the question of Punjab's division and without hearing the parties on his own proposed the line of division and then decided to fly over it. By then he had neither met with the members of the Punjab commission nor had seen the statements of the contending parties.

The line had obviously been drawn by some one else and he was asked to inspect it. It is not a mere conjecture. Irrefutable evidence was forthcoming that the guidance map for the pilot was prepared in the office of Lord Ismay, Mountbatten's chief of staff. As said earlier it was a look at that map which alerted Justice Din Mohammad to the impending danger and persuaded him to seek the Quaid-e-Azam's permission to quit the commission. Though the Quaid did not permit Din Mohammad to resign but on the basis of his report on 8th of August sent on oral message to Lord Ismay through Chaudhry Mohammad Ali

that he was receiving disturbing reports about the division of Punjab concerning, more particularly, Gurdaspur district. And if the boundary line was fixed as was reported to him, it would surely strain relations between Pakistan and England.

A self-evident map: Chaudhry Mohammad Ali in his valuable book "The Emergence of Pakistan" writes that when he went to the Viceregal Lodge to see Lord Ismay to convey the Quaid's message, he was in a meeting with Radcliff. After an hour as Lord Ismay called him in he conveyed the message to him. Ismay told him that neither he nor Mountbatten had ever talked to Radcliff about the boundary matter nor were aware of his views nor had given any advice to him nor ever would. When Chaudhry Sahib explained to him the details of the report the Quaid-e-Azam had received, Lord Ismay said he could make out nothing. Chaudhry Sahib then beckoned him to the map hanging in his room to explain the issue to him with the help of the map. In the map Chaudhry Sahib saw a line drawn in pencil on Punjab that exactly conformed to the report that the Quaid-e-Azam had received. Chaudhry Sahib then told Ismay that the report needed no further clarification – the pencil line on the map spoke for itself. Chaudhry Sahib writes: "Ismay turned pale and asked in confusion who had been fooling with his map".

Till today neither Radcliff nor Mountbatten have bothered to explain as to who in fact had proposed the line on the map on which Radcliff was to fly even before the commission had held its session and perused the statements of the parties and what was the purpose of the inspection. Was it a sheer coincidence that the boundary fixed by Radcliff was almost the same as was shown in the flight plan? The incident relating to the map narrated by Chaudhry Mohammad Ali in his book has neither been explained nor contradicted till today. Quite obviously, Mountbatten and his advisers had decided on the line that was to partition Punjab. Radcliff was used only as a signing machine.

A secret pact between Mountbatten and Congress: The disclosures made in various books on the partition of India go to prove that the Congress had agreed to the partition of India but remain a part of the British Commonwealth after the partition under a secret pact with Mountbatten which had the following conditions: One, the partition of the country and transfer of power should be completed within two months; two, in the division of Bengal, Calcutta should go to India; and, three, in dividing Punjab, Gurdaspur and Batala tehsils should be included in India to provide a justification for the accession of Kashmir state to India.

Prime Minister Attlee's instruction to Lord Mountbatten was to do whatever needed to be done to maintain the unity of India and the rival parties should be persuaded to agree to the transfer of power under the terms of the Cabinet Mission Plan. And things should not come to a pass where the armed forces of India have to be divided. It must remain an all-India institution. Both countries should agree to defend the Indian Ocean jointly. Quite obviously these instructions were to safeguard the British interests and protect the trade routes to India and Far East by keeping out the Russian influence.

Besides Attlee's instruction, Mountbatten himself was against the partition of India and wasn't even prepared to listen to the division of the armed forces. Right to the end he tried to bring the parties round to the proposals of the Cabinet Mission in whatever way possible. In that he did not succeed. The Quaid-e-Azam had agreed to the proposals when put forth by the Cabinet Mission and the Congress in display of its traditional cunning had also outwardly accepted the proposals. But soon afterwards Pundit Nehru and some other Congress leaders in their public statements and speeches placed such "interpretations" on them which betrayed their intention not to act upon them. Though the sympathies of the members of the Mission were with the Congress, they still held its interpretations to be invalid and tried hard to bring the Congress leaders round to the straightforward implementation of the proposals. In that they did not succeed. Left with no alternative, Muslim League also withdrew its

acccptance. In this background the Quaid-e-Azam was not at all willing to fall in the trap at the behest of Mountbatten. The Muslim League therefore refused to revive the plan that had been stifled by the Congress leaders with their own hands.

Lord Mountbatten's self-indulgence: Lord Mountbatten was, undoubtedly, a charming man but amenable to flattery. The successes he had achieved during the war had only exacerbated such instincts in him. He had come to believe that he must succeed in whatever he did. A man of such temperament tends to resent every opposing view. Thus, he was resentful of a steadfast Jinnah not succumbing to his charm. Though even before his appointment, Mountbatten had the reputation of being a friend of the Congress and against Muslim League, during his tenure in Singapore he came across Nehru and was impressed by him. According to Sir Stafford Cripps's friend and Gandhiji's emissary, Sudhir Gosh, Cripps had arranged Mountbatten 's meeting with Nehru before he came to India as Viceroy. In a way that signified Punditji's approval to his appointment. On arrival in India, Mountbatten forged personal relations with Nehru and some other Congress leaders but with Nehru it was an unconcealed friendship. Sensing his vanity, Pundit Nehru and other Congress leaders exploited that weakness in his character to their advantage.

On the other hand, flattery was unknown to the Quaid-e-Azam. Being a straightforward man who was unshakable in pursuit of his goal, he could not satisfy Mountbatten's vanity. He remained committed to the partition of India frustrating Mountbatten's foremost aim to keep the sub-continent united and compelling the Labour government to divide India. The defeat hurt Mountbatten's ego and he became ill-disposed towards Quaid-e-Azam and demand for Pakistan.

Quaid-e-Azam's Iron determination:To counter Quaid-e-Azam's demand for the partition of the country, Congress demanded that if the country

must be divided, so must Punjab and Bengal to set the Muslim majority apart. When Mountbatten's attempts to persuade the Quaid-e-Azam to give up his demand for the partition of the country failed, the Englishmen who had come with him from England advised him to warn Quaid-e-Azam in categorical terms that if he did not agree to implement the Cabinet Mission's proposals and India had to be partitioned, the provinces of Punjab and Bengal will be necessarily divided. The top leaders of the Congress had also similarly advised, in fact expressed a hope, that finding the division of their provinces inevitable, the Muslims of Punjab and Bengal will abandon Quaid-e-Azam and Pakistan would remain a dream. Acting on such advice, Mountbatten warned and intimidated Quaid-e-Azam a great deal but could not shake his iron determination. As a last resort, however, he agreed to the division of Punjab and Bengal. The Muslims of the two provinces, nevertheless, did not desert him dashing to the ground hope of the Congress leaders of causing dissension among the ranks of the Muslims.

Unfavourable conditions and creation of Pakistan: One among the Congress leaders had advised Mountbatten that while ostensibly agreeing to the partition, Punjab and Bengal should be divided in such a manner that Pakistan is unable to survive for long and Muslim League feels compelled to join the Indian Union. To Mountbatten it appeared "a very wise counsel" that would serve the purpose without loss of face and he firmly made up his mind to pursue it. What stood in his way was a directive from Attlee's cabinet that if India must be partitioned, both countries, nevertheless, should remain in the British Commonwealth. Though Quaid-e-Azam had already informed Mountbatten that Pakistan will remain in the Commonwealth, the resolution sponsored by the Congress in India's constituent assembly explicitly stated that after attaining independence India will be a republic. Though at that time there was no provision for a republic to be a member of the Commonwealth.

Having failed to keep India united, Mountbatten's next burning desire was to somehow persuade India to remain in the Commonwealth to make up for

his embarrassment in keeping India united. The Congress leaders were not that simple as not to know what was good or bad for them. They could see that Mountbatten was on their side and the favours he had done to them. They, on their own, were also in search of a formula which would help them retain close ties with Britain, the resolution of the constituent assembly notwithstanding.

A Hindu officer of the government of India, Mr. V.P. Menon was a great confidant of Sardar Patel. Mountbatten, as he arrived, took him on his personal staff and, in course of time, he also become his confidant. To go round the hurdle created by the constituent assembly, he prepared a scheme under which after partition the power, for the time being, was proposed to be transferred to the two countries on the basis of "dominion status". Mountbatten conveyed it to the Congress through V.P. Memon that if it agreed to the scheme, he would transfer power even before June 1948. A meeting between Mountbatten and the Congress leaders at Simla in May 1947 resulted in a secret pact under which the Congress accepted the offer on three conditions which have already found a mention i.e. 1, transfer of power will be completed within two months; 2, in the division of Bengal, Calcutta should go to India; and 3, Punjab should be so divided that the Muslim majority tehsils of Gurdaspur and Batala fall on the Indian side.

Mountbatten agreed to the three conditions. The first condition was patently unreasonable. Two months were not enough even to divide the assets of a rich family or a joint stock company, much less of a large country. The intention of the people who insisted on this condition could be no other than to prove that division of the country was impracticable. But the intention of an experienced administrator like Mountbatten in agreeing to it could have been no different. The hope of the Congress leadership and Mountbatten both was that the turmoil caused by implementation of the partition plan in haste would create such insurmountable problems for the new-born Pakistan as to make its existence impossible leaving the Muslim League no alternative but to agree to the unity of India. But God had so willed that despite the massacre of Muslims in Punjab and

Delhi by Hindus, more particularly by Sikhs and other adverse factors, Pakistan as a sovereign entity came into being frustrating the designs of its opponents.

Partiality exposed: Hardly any doubt now remains about the contents of the first two clauses of the secret Simla pact. Sardar Patel who was relatively more outspoken and was a leading light of the Congress, admitted in his public speeches after independence that it was he who had presented the two conditions to be accepted before agreeing to the partition. About Calcutta, besides Sardar Patel, Mountbatten's chief of staff, Lord Ismay, has conceded in his memoirs that the proposal for which approval of the British Cabinet was obtained stipulated the inclusion of Calcutta in India. This fact was, however, kept a secret from the Muslim League and an impression was given out was as if the decision on Calcutta will be made by the Boundary Commission. So, though a decision had been taken merely as a pretence the dispute over Calcutta was also placed before the commission as if it was Radcliff who ruled in favour of India. This one instance in itself should be enough to expose the partiality of Mountbatten and Radcliff and of Attlee's cabinet itself. The third condition of the Simla pact was intended to establish hegemony over the states of Jammu and Kashmir. The maneuvers made and tricks employed to award the Muslim-majority tehsils of Gurdaspur and Batala to India have already been recounted at some length.

The line on the map given to Radcliff differed a little bit from the line in his award. The line on the map showed the Muslim-majority tehsils of Ferozpur and Zira falling in Pakistan. In the boundary award both went to India. Irrefutable evidence exists to prove that Radcliff was persuaded to make this change in favour of India against Pakistan's interest a day or two after August 8, 1947. At that time Sir Evan Jenkins was the governor of Punjab. His sympathy with Sikhs was a known fact. Not he alone, even Mountbatten and British members of his staff, Lord Ismay in particular, were also deeply interested in the welfare of Sikhs because of their war services. The Sikhs had been pressing for

the inclusion of canal colonies in India which, they claimed, they had worked hard to develop.

Governor Jenkins considered the Sikh demand wholly unjustified. In reply to query by Jenkins, George Abel, private secretary to Mountbatten, wrote a letter to him attaching a map which showed the same boundary line as was marked on the map given to the pilot of the flight. In that map while Gurdaspur and Batala tehsils were shown in India, Ferozpur and Zira tehsils were shown in Pakistan. George Abels's letter clearly said that the map attached to his letter showed the boundary that Radcliff was to fix in his award. Mr. Modi who was appointed governor of Punjab after the transfer of power found Abel's letter in Jenkins' confidential papers. There should be no doubt that George Abel had written that letter to Jenkin's private secretary for the information of Jenkins. But no explanation came forth either from Radcliff or from Mountbatten for this change in the boundary line after the 8th of August.

But proof otherwise is not lacking. In the last week of July 1947 when I was in Delhi in connection with the proceedings of the Radcliff Boundary Commission and, ostensibly, it was he who was to demarcate the boundary, a topic often discussed in Mountbatten's office was where the boundary line should lie to safeguard the interest of the Sikhs. A solid supporter of the Sikh cause, Mr. Pendrel Moon (formerly of the Indian Civil Service) in his book "Divide and Quit" writes that in the last week of July 1947 he often discussed the subject with the staff of Mountbatten. V.P. Memon, who was among them, once asked him whether by juggling with the line the danger of disturbances (by Sikhs) could be diminished. This statement by Pandrel Moon goes to show that the Boundary Commission and Radcliff both were only for show. The boundary was to be fixed by the staff (Ismay and others) of Mountbatten. Radcliff was only to sign the award. The change made in the boundary line after the 8th of August in favour of India and against Pakistan was a kind of "juggling" done to appease the Sikhs.

The underlying causes of Mountbatten's hostility for Pakistan:Mountbatten was against the division of India as, from the very beginning, he was opposed to the idea of Pakistan. Further, the mandate given to him by the Attlee government was to try his utmost to maintain the unity of India and bring the Muslim League and Congress round to implement the Cabinet Mission proposals. The Quaid-e-Azam's resolute stand however frustrated all his efforts which he took as a personal humiliation. No doubt his personal friendship with Pundit Nehru and the fawning attitude of the other Congress leaders also influenced his mind but the zeal with which he worked against the interest of Pakistan betrayed his personal grouse and hostility against the Quaid-e-Azam. And when despite his relentless efforts, the Quaid-e-Azam did not agree to the revival of the Cabinet Mission's proposal, he tried to cover his embarrassment by proposing that India should be divided into two dominions of the Commonwealth with him as the first governor general of both.

Pakistan had already given his consent to remain in the Commonwealth and he had also so persuaded the Congress through a secret pact. Now his intense desire was that both the Congress and the Muslim League should agree to accept him as the first governor general. The Congress agreed but Quaid-e-Azam refused. An overconfident Mountbatten, meanwhile, had assured the British government and the Congress leadership that the Muslim League, too, would go along. On the refusal of the Quaid-e-Azam his dream came crashing down and he had to cut a sorry figure before the British cabinet and Congress. Flustered by an injured ego, he threatened and insulted the Quaid-e-Azam.

The last conversation on this subject took place on July 2, 1947 and two days later Mountbatten informed the Secretary of State. Calling the conversation a "bombshell" he wrote: "I asked him (Quaid-e-Azam) whether he knew of the price he shall have to pay for his refusal". His cryptic reply was "yes, perhaps, in the division of assets I would be losing a few billions". "I told him not a few billions but all assets and the future of Pakistan as well". "Having said that I

walked out of the room".(Mountbatten's report No.11 dated 4 July 1947 addressed to the Secretary of State).

The threats and rudeness that Mountbatten himself admitted show that he was greatly hurt by the Quaid-e-Azam's refusal and, feeling personally slighted, he made up his mind to avenge it by sabotaging the Pakistan plan. To refute the allegation of partiality against him in partitioning India, Mountbatten got a book – "The Great Divide" – published. While referring to Mountbatten's above mentioned report to the Secretary of State, the author had to concede that "with his (Mountbatten's) ego us injured he could not restrain himself from acting in a hostile manner. After the transfer of power the warmth that marked his address in the Indian assembly was missing in his address to the Pakistan assembly". The same author also admitted that "besides other things it is likely that Mountbatten's expectation frustrated by Mr. Jinnah's refusal to accept Mountbatten as governor general of both dominions lingered in his mind". Mountbatten's hostility was so patently obvious that even his admirers had to concede, though in a subdued manner, the events leading up to it.

***Offer from his exalted highness the Nizam of Hyderabad to be the prime minister (Sadar-e-Azam)*:** Toward the end of August 1947, the Quaid-e-Azam summoned me from Bhopal to Karachi. As I appeared before him he told me that Mir Laiq Ali had brought a message from the Nizam that he (Quaid-e-Azam) should persuade me to go to Hyderabad as Sadr-e-Azam to bring about a settlement between the Nizam and the Indian government. But he had asked him (Mir Laiq Ali) to bring a specific proposal from His Exalted Highness in writing giving his consent to go by Zafrulla's advice or whatever he proposed. My submission to Quaid-e-Azam still was that whatever the circumstance or condition I was not prepared to go to Hyderabad. On that he observed such a situation wouldn't arise for the Nizam would never give it in writing.

Quaid-e-Azam's direction that I lead Pakistan's delegation to the UN: The Quaid-e-Azam then told me that he had called me over from Bhopal to say that I should lead Pakistan's delegation to the United Nations "What is your programme now" he asked me. I told him I planned to go to Lahore for a few days to find out how my friends and relatives were dealing with the current turmoil. He said I may go but must come back by September 4, 1947.

The conditions in Lahore were appalling and, further, my brother Shakrulla Khan was ill admitted in Mayo hospital. I went to call on him only to learn that he was passing through the last stages of tuberculosis and the physicians had given up all hopes. Since I had to get back to Karachi as directed by the Quaid-e-Azam, I told my other brother Abdulla Khan to take Shakrulla back home and left for Karachi stricken with sorrow on not being able to be by his bedside in his last moments. A few days later he died.

Pakistan's first delegation to the United Nations: On arrival in Karachi Quaid-e-Azam told me that since Mir Laiq Ali had not been able to secure a written commitment from the Nizam on the lines he had desired, I should get ready to lead Pakistan's delegation to the UN. The other members of the delegation proposed were Mirza Abul Hasan Ispahani, Pakistan's ambassador in Washington and Pirzada Abdul Sattar. Later, Begum Tasadduq Hussain was also included and she joined the delegation in New York. Mr. Mohammad Ayub, ICS was the secretary of the delegation. Paksitan's consul general in New York, Mr. Lari Shafi, was not a member of the delegation but his exertions were of great help. The delegation stayed in Barkley hotel. The General Assembly then used to meet in New York's exhibition hall at Flushing Meadows and its committees and the Security Council in Lake Success. Since it was a small delegation, we decided to hold consultations on the day's activities at breakfast. The responsibility for the office work lay on M. Ayub. Though a kidney patient he performed his duty with commendable speed and commitment. He went to bed

late and was the first at work. Thus he had little time for rest or sleep but there was never a delay or neglect.

One of the conditions of the partition settlement was that India would remain a member of the UN and Pakistan will have to apply afresh. Pakistan's application was recommended by the Security Council and approved by the General Assembly. Pakistan and Yemen became members of the UN on the same day. A question was raised by Argentina that the two independent states emerging out of the partition of India should be treated as new states and both must apply for membership. The Argentine objection was, however, overruled.

The General Assembly in that very session had adopted a resolution that all member-countries should sever their diplomatic relations with Spain and no other country should establish diplomatic relations with the government then in power. I strongly opposed this resolution arguing that it did not befit the UN to try to topple the government of any country as it would have effect contrary to the one intended. It was because of the resolution that there was an upsurge of public opinion against the UN in Spain. "The UN had sounded the bugle but the walls of Madrid have not shaken" and went on to add even a cursory look at the map of Europe pointed toward the need of Spain's support for the world community in the days ahead. Most among us then would regret what we propose to do today".

Despite this warning the resolution was approved but never found a mention in the subsequent sessions of the assembly. In between the first and second meeting, Argentina established diplomatic relations with Spain. That came up for some discussion in a committee meeting accusing Argentina of insulting the UN by disregarding its resolution. Mrs. Vijay Lakshmi Pundit also reacted angrily and expressed surprise that instead of being censored Argentina was elected to the Security Council. She could not have imagined then that even her own country one day would be elected to the Security Council despite disregarding the UN resolution on Kashmir.

A few months after that the foreign minister of Spain came to Pakistan. I was at the airport to receive him. As he came down the gangway he shook my hand and said that my sentence "the UN has sounded the bugle but the walls of Madrid have not shaken" was on every Spanish lip.

On the question of the rights of the people of Indian and Pakistani origin settled in South Africa, I spoke mostly from the standpoint of human dignity.

The partition of Palestine and Israel comes into being: Palestine was the most important of all issues listed for discussion in the General Assembly. As stated earlier, the UN's Palestine Commission had recommended division of the territory. The report of the commission camp up for discussion in the first committee of the Assembly chaired by the foreign minister of Australia, Dr. Evet. The committee decided to set up two sub-committees – one to deliberate on the details of the division and the other to prepare a plan for the protection of the rights of the Arabs and Jews in a united Palestine. The Colombian delegate who was elected chairman of the second sub-committee resigned after a few days and I was elected instead. After considering the reports of the two sub-committees at great length, the first committee voted in favour of the division.

In the intervening period an intense tussle took place. Representing Pakistan, as I started my speech, the Arab delegates had no idea which way it would go. Pakistan had been elected a member of the UN but a day or two earlier. The Arab delegates hardly bothered about us and were indifferent to our delegation. The first part of my speech was devoted to the history and events of which even some Arab delegates were not fully aware. But when I started analysing the partition plan and explained the injustice inherent in every part of the plan, the Arab delegates started listening attentively. As I ended my speech their faces glowed with happiness and contentment. The defence of the Arab cause after that became mostly a responsibility of Pakistan.

The Arab delegates also spoke at length and some speeches were indeed studied with solid arguments but the eloquence was by and large emotional and

the speakers spent most of their time in a vain effort to prove that the Jews coming to settle in Palestine were not the descendants Abraham and belonged to a Russian tribe named Khazar whose forefathers in a distant past had converted to Judaism. The Arab cause in all its aspects was so strong and just that to support it with such irrelevant arguments amounted to weakening it. It appeared as if the Arab delegates had not organised their speeches or martialled their arguments under a central direction. Whatever came to anyone's mind he blurted it out. It became altogether apparent in the course of the debate that the decision of the committee will not be based on arguments and justice.

Sir Karl Berindson was New Zealand's representative in the committee. Coming out of the committee meeting after one of my speeches, he had this to say: "What a good speech, clear leaving no room for doubt, full of reasoning and impressive. Since Sir Karl himself was a very good speaker, his appreciation pleased me a great deal. Thanking him I enquired on which side would be vote. He laughed heartily and said "Zafrulla, voting is an altogether different matter".

***The standpoint of the leader of the Palestinian delegation*:** At the end of the debate as voting on the detailed aspects of the partition began, the Danish delegate came up to me to say that the events and arguments that I had put forth left no doubt that the partition plan was wholly unjust and extremely harmful for the Arabs. The delegates of all Scandinavian countries, he said, were also of the same view but, seemingly, the partition proposal will have to be approved because all of them were under enormous American pressure. He went on to say: "I have come to convey to you a widespread feeling in the committee that we are all about to make an unjust decision at the behest of America. You should try to exploit this sentiment. In your speeches, besides opposing the partition plan, you have also proved that some of its provisions appear to usurp the rights of the Arabs. For instance, the city of Jaffa with 99 per cent Arabs is proposed to be given to Israel. There are many other similar unjust proposals. The committee is proceeding at a fast pace. If you were to move amendments to all such proposals

and briefly speak in support of each amendment, we, the delegates of all five Scandinavian countries, will support you. And in the atmosphere prevailing in the committee your amendments will all be carried. Resultantly, even if the partition plan is approved, in many other matters the Arabs will feel somewhat compensated".

The suggestion appealed to me and just to put his assessment to test I moved an insignificant amendment. It was immediately put to vote and approved. Just at that time Al-Syed Jamal al-Husaini whose seat was just behind me said to me "Zafrulla, why you had to do this?" I told him about my conversation with the Danish delegate. Wonderstruck he asked me whether I would vote for the partition if all of my amendments were adopted.

Zafrulla Khan: Not at all. Even then we would oppose firmly. But it would go to weaken the partition plan and, if approved, wouldn't be as bad as it is now

Al-Syed Jamal al-Husaini: It would create a big problem for us.

Zafrulla Khan: You should advise the Arab delegates not to vote for the amendments, just abstain.

Al-Syed Jamal al-Husaini: It would still not resolve the problem.

Zafrulla Khan: What is the problem?

Al-Syed Jamal al-Husaini: The problem is that if the partition doesn't visibly appear to usurp the Arab rights, our people will not feel inclined to wage a war against it. Thus we would stand to lose. So, do not bother to move any more amendments.

I could not but keep quiet

***Partition of Palestine and American pressure*:** Under the rules every proposal has to be approved by majority vote. Consequently, the partition plan was approved. In the Assembly, however important proposal need two-third majority to be adopted. Our effort then was directed against the proposal mustering the required majority. The debate in the Assembly was long and the

trend of speeches aroused some hope that the proposal for partition may not be approved. The guess was that the voting would take place on the last Wednesday of November. About some delegates, it was not certain on which side they would vote – Liberia for one. Before going to Flushing I went to Waldorf Astoria to see the leader of the Liberian delegation, Mr. Denis. He was all set to leave for the Assembly. I wanted to know which way he would vote. He said his personal sympathy was with the Arabs and the direction of his government also was to vote against the partition but the American pressure was mounting and I should try that the voting took place on that very day. In such a situation he would vote against the partition. But if the vote were to be postponed no one knew what would happen. In my presence he told his secretary that he was leaving for the Assembly and no message, whatever the source, should be sent to him. Whatever, the message, he would see on return. Then he spoke to me: "Look I have arranged for the day". I heartily thanked him and also left for Flushing to attend the Assembly session.

Before the morning session an impression had gained ground that the partition proposal will not be approved. Just before the afternoon session was to begin, the foreign minister of Iraq, Al-Syed Fazil Jamali came to me greatly perturbed and said that he had heard that the day's session will be adjourned without voting and I should accompany him to see the president of the Assembly. Mr. Rania of Brazil was the president. He told us that the next day being the thanks-giving day, the secretary general, Mr. Trigvili feels the Assembly staff would be unwilling to work till late and at the end of the afternoon session the Assembly may have to be adjourned to meet after the thanks-giving day. We suggested that voting must be held before the session ends. He said there wouldn't be time enough for that as five delegates were yet to speak and may be some other delegates wish to explain their reasons for voting one way or the other way before the ballot.

Two of us, we told him, were among the five who were yet to speak. He could score out our names and it lay in his authority to put off the explanatory

speeches till after the ballot. But he wouldn't agree. We could not have forced him for if the supporters of the partition were bent upon adjournment and even if the president was not to agree, the session would have been adjourned by majority vote. But to say that the staff was not willing to sit late was a lame excuse. After that and till today the staff has never refused to work late on the eve of the thanks-giving day and has been working even on the day itself up to 2 pm. There should be no doubt that the president of the Assembly and the secretary general both, either under American pressure or by their own preference, were supporting the Zionists. And once it became obvious from the speeches delivered that the partition proposal would not get the two-third majority both of them became a party to a scheme to put off the session till Friday morning to enable the Zionists to invoke President Truman's influence to win over three or four such countries who till that time were opposed to the partition.

Stern warning to the western powers: Speaking in the afternoon session I sternly warned the western powers not to go against the promises they had made to the Arabs during the First World War. It would be a betrayed if they did and they would lose the trust of the Arabs for all times to come.

Closing the speech I said: "I beg you, I implore you, entreat you not to destroy your credit in Arab countries. Tomorrow you may need their friendship but you will never get it". But arrogance of power blinds and deafens. Our protests and warnings proved no more than a cry in the wilderness.

Mr. Truman's exertions for the partition of Palestine: Mr. Truman was elected vice president in 1944 and became president on the death of president Roosevelt at the beginning of his fourth term. The election was due in November 1948 and Mr. Truman was a candidate. A year before the presidential election, a kind of crisis takes hold in America in which the candidates and their supporters say or do whatever is possible or far from possible. Apprehending that his party

wasn't too keen to back him up, he tried hard to muster support in whatever way he could. In doing that he desperately sought the support of the Jews of America.

The Jews are particularly influential in New York and Truman was out to win them over. In pursuit of that aim he ignored a known fact that even Soviet Union and its satellite states were also in favour of the partition of Palestine. In taking that position their only motive was to bring America's relations with the Arab countries under strain. I can say it with full confidence that the legal team of the American delegation had advised that to propose partition was beyond the authority of the Assembly. Truman rejected even that advice. The magnitude of his last-dich activities has already been recounted as was narrated to me by Mr. Denis, leader of the Liberian delegation. The delegate from Haiti speaking with great passion called the partition proposal wholly unjust which his country in no circumstances would endorse. General Romulo of the Philippines, an eloquent and persuasive speaker, tore the proposal to shreds and declared with all the power he could muster that his country would never support it.

The voting was held on a Friday by calling out each country by name. Just before that the Haitian delegate came up to me with tears streaming from his eyes. Putting his hand on my shoulder he said in great sorrow: "Mr. minister, till day before yesterday my country's standpoint was the same as I had put across in my speech. I have received instructions now to vote for the partition". His response to the call was an indifferent, agonising 'yes'. Gen Romulo by then had left for New York. The reply from the Philippines was also 'yes'. So was Liberia's. Out of the Latin American countries only Cuba stuck to 'no'. The proposal was carried with two-third majority.

Murder of justice and fairplay: The United Nations was founded on the principles of justice, fairplay and right of self-determination. In dealing with the Palestine issue all three principles were sacrificed. The UN charter lays great stress on adherence to pacts. In the case of Palestine all the pacts that Britain had entered into with King Hussain were blatantly violated. It is correct that Britain

remained neutral in the ballot but through the Balfour Declaration it had already laid the foundation of Israel. Whatever has happened in Palestine since and was to happen in the future – destruction of the world peace and causing agony to a large segment of mankind – the responsibility must lie, most of all, on Britain and Mr. Balfour and then on the United States, more particularly on President Truman.

On the very first day following the termination of the British mandate in Palestine, Zionists announced establishment of the state of Israel and Truman's administration instantly recognised it. When Israel's application for the UN membership was moved in the Security Council, Britain abstained. When the application came up before the General Assembly, in violation of the unambiguous language of Sec 9(3) of the UN charter stipulating that no country could become member even if one permanent member of the Security Council were not to support the application, the General Assembly by holding the Security Council's recommendation valid admitted Israel to membership.

After the partition of Palestine was approved, I left New York on homeward journey. Al-Syed Faris Khori, leader of the Syrian delegation, advised me to stop over at Damascus for two days to brief Syria and other representatives of the UN member countries about the happenings. I spent three days in Damascus to speak at length to the foreign ministers of independent Arab countries who had gathered there on the invitation of Al-Syed Sahib Al-Moali Shukri Al-Quwatli, head of the Republic of Syria. In the meeting I was asked whether or not the Arab governments should wage war against Israel once the British mandate expired. My reply was: "My opinion on that point would carry little weight for I was not aware of your military capabilities but I must say this much that in considering this question you must bear in mind that sea is accessible to Israel. America's Jewish community, which is very prosperous, is sure to provide every possible assistance to Israel and, further, Israel's military training and preparedness is much more than you imagine."

I also spoke at Damascus University on Palestine and the United Nations. Later, as various aspects of the Palestinian dispute came up before the General Assembly, Pakistan always extended hundred per cent support to the Arab stand.

***Quaid-e-Azam's desire that I should take charge of the ministry of foreign affairs*:** Reaching Karachi, I went over to see the Quaid-e-Azam and made a verbal report to him on the activities of Pakistan's delegation. He enquired about my future plan. I said I would go back to Bhopal. Reacting sharply he said "when will you free yourself from all such tangles? Don't you see that we need you here?" My reply was: "I am here to serve in any capacity you deem fit". He asked me when would I be going to Lahore. I said on the way to Bhopal. He said Liaquat Ali Khan was in Lahore and unwell but I must see him there. When I called on him in Lahore he asked me whether Quaid-e-Azam had talked to me about something. "He had only asked me to call on you", I replied and the conversation proceeded.

Nawabzada Liaquat Ali Khan: We have to create a supreme court for Pakistan. To draw up the rules and to select the judges and their staff would take quite some time. But a chief justice must be quickly appointed to take care of all such matters. One proposal is that you should take over as chief justice of Pakistan. Secondly, the turmoil accompanying the partition of Punjab, more particularly the arrival of refugees in huge numbers and the shortage of staff, had badly affected the administration of the province. Mumtaz Daultana is doing whatever he can but he says no one person can cope with the situation but has requested Quaid-e-Azam to send an impartial and dedicated chief minister and has advised that you should take over. Thirdly, men are needed at the centre as well. As prime minister I also hold the portfolios of defence and foreign affairs which is too much for one man. If you so

wish, come to the centre. Think over all these options and come back with your preference.

Zafrulla Khan: I would think about it and report back to you.

Nawabzada Sahib: But Quaid-e-Azam wishes to see you as foreign minister.

Zafrulla Khan: What is then left for me to think over and give my preference?

Nawabzada Sahib: I have told you the whole story. All that is left for you to ponder over is how soon can you get back from Bhopal to Karachi.

Zafrulla Khan: Personally I have no hesitation in serving in any capacity. But I must also consult His Highness the Nawab of Bhopal to get his permission. Possibly, he would agree but may be he finds it difficult to relieve me immediately.

Nawabzada Sahib: The Quaid-e-Azam is keen that you join immediately. What is your guess how long would it take?

Zafrulla Khan: I cannot make a firm guess before seeing the Nawab but I know he greatly respects the wishes of the Quaid-e-Azam and would not take long in giving permission.

The ruler of Bhopal's many courtesies and favours: What weighs most on me is a feeling that someone else should be put to worry for of my actions. I had the highest regard for Nawab Sir Hamidullah Khan, the ruler of Bhopal. He was a man of diverse qualities and the circle of his admires was world-wide. He always treated me with great affection. I had been in Bhopal barely for six months and even out of that I had spent four months in the service Pakistan. Nawab Sahib not only permitted that, he took care of my needs and extended every facility to me and my family. Besides a house, transport, personal attendants, I was paid a salary ten times that of a minister in Pakistan. His wish was that I should remain in his service at least till the end of 1950. Here was a

dilemma. On the one hand, the Quaid-e-Azam and Nawabzada Liaquat Ali Khan wanted me to return from Bhopal soonest possible and, on the other, a worry that my immediate departure might cause some problem for Nawab Sahib.

Nevertheless, I narrated my conversation with both leaders. His response was: "Sir Zafrulla, I can foresee the fate that awaits us – rulers of the states. For me your presence here was greatly assuring. To be deprived of your advice would surely cause me anxiety but I place Pakistan's needs and interests above mine. I must not hold you back from serving the nation. I would not stand in the way your going to Karachi in response to the order of the Quaid-e-Azam. Still, wouldn't you spend some time here?"

I submitted to him that the order of the Quaid-e-Azam conveyed verbally by Nawabzada Liaquat Ali Khan was to reach Karachi immediately. Saddened, he said "so be it, let me know your programme tomorrow". The next day I told him I needed no time to get ready and, his permission granted, I could leave straightway. He asked me about the mode of journey. I said the route to Delhi being unsafe, I would go to Bombay by train and take a boat from there. He said in no case he would permit that. Travelling to Bombay would also not be free of danger, he said. Instead my daughter, her mother, two personal attendants and I should go by his beachcraft to Karachi. For that he would get exemption from the governments of India and Pakistan from landing at the border. Heavy baggage, if we had any, he said he would arrange to send through Bombay. In short, I had been a recipient of such affection from the Nawab on every occasion.

Appointment as foreign minister: We reached Karachi in the afternoon of December 25. The uncle of my daughter Amtul Hye, Brig Ghulam Ahmad, was then posted at Karachi. She and her mother went to stay with him and I found a place at the house of Syed Amjad Ali at 18 Victoria Road. The day happened to be the Quaid-e-Azam's birthday and a reception was arranged in his honour. I went there but wasn't at all aware what he had decided about me. Nawabzada Liaquat Ali Khan told me only the much that I would be sworn in on

that very day. As the Quaid-e-Azam arrived, Nawabzada Sahib gestured that I should take the seat to his left. As he sat down he said "Zafrulla today would take oath as foreign minister". I obeyed his order.

Participation in Burma's independence festivities as Pakistan's representative: At that very time Quaid-e-Azam said that I shall have to represent Pakistan in Burma's independence day celebrations at Rangoon.

Zafrulla Khan: Sir, I have seen it in the press only today that India intended to take the Kashmir dispute to the Security Council. I am not at all aware of the details of the dispute. It is important for me to get acquainted. The time is short and access to information will not be easy. If you kindly agree, Sardar Abdur Rab Nishtar may go to the celebrations.

Quaid-e-Azam: You are the foreign minister and it is your job.

I left for Calcutta on January 1st on the way to Rangoon. At Calcutta I stayed with Anwar Ahmad where Husyn Shaheed Suhrawardy came in the evening to apprise me of his conciliatory efforts. The next day I left for Rangoon. During my stay there the Muslim merchants of Burma invited me to their association to consult me on a proposed Burmese legislation that would have enabled most among them to acquire the Burmese nationality. I advised all those eligible to acquire the nationality and consider Burma's interest as their own and cooperate fully with the government.

***Journey to New York to pursue the Kashmir dispute in the UNO*:** I returned to Karachi on January 7th. Agha Hilaly then a deputy secretary in the ministry of foreign affairs met me at Korangi Creek and told me that India had lodged Kashmir dispute in the Security Council on January 12 and I was required to leave Karachi for New York the following evening.

Communal riots in Karachi and their end: Agha Hilaly also informed me of a tragic event. Sind had escaped communal riots in the wake of partition. In Karachi also no incident took place. For the Hindus and Sikhs of NWFP who wished to migrate to India, it was arranged to reach Karachi only when a ship for Bombay was available. A word was sent across to the district officials to dispatch the intending migrants by a night train arriving in Karachi in the early hours of the morning. From the railway station they were directly taken to the port to board the ship. However a batch of Sikhs on their own and without previous information headed for a temple in the town shouting slogans provoking the Muslims. Riots broke out. The news caused great distress to the Quaid-e-Azam.

He instantly called over defence secretary Iskander Mirza and told him that by a certain hour "I must get a report that peace has returned to the city. That not happening, I shall be looking for another defecnce secretary".

Iskander Mirza later told me that he called the Karachi commander, Gen Akbar, and told him what the Quaid-e-Azam had told him (Mirza) with the difference that he set the reporting time an hour ahead of the time Quaid-e-Azam had set for report to him. The second instruction Mirza gave him was that if it became necessary to open fire, for every bullet fired dead-body of a rioter must be produced for him to see. Gen Akbar reported after half an hour that the city was peaceful. A dialogue followed:

Iskander Mirza: Did you have to fire?

Gen. Akbar : Of course

Iskander Mirza : How many rounds

Gen. Akbar : Twelve, and here are the empty shells

Iskander Mirza : What about the dead bodies? (He accompanied Gen. Akbar Khan to various spots where he was shown 11 bodies).

Iskander Mirza : I must see another body.

Gen. Akbar : Let us go and see that too. (Gen. Akbar Khan took him to hospital and showed him a wounded man who was lucky to be alive).

There has been no communal riot in Karachi since then.

Laudable qualities of Chaudhry Mohammad Ali: I had reached Karachi in the evening of the 17th of January and preparations for the journey began. Some of my baggage was with me at 18 Victoria Road. The house of Syed Amjad Ali gave the looks of an inn with a host of guests staying there. Some more baggage was lying at Fakirji Lodge, the house of Brig Ghulam Ahmad. The foreign office then was housed in Mohatta Palace. My companions on the journey to New York were to be secretary general Chaudhry Mohammad Ali, advocate general Syed Mohammad Wasim, Col Majid Malik and one or two members of the staff. The relevant papers were lying here and there, all over. Even a box to keep the papers and other articles was not available. In haste, everything was stuffed in jute bags and the "caravan" set on journey to New York on the night of 8th of January.

There was no time to prepare the case I had little knowledge of the dispute on Kashmir. I was as blank on the occasion as at the time of the Boundary Commission case. The dependence was entirely on the help and mercy of God. However, this time round I had the company and cooperation of Chaudhry Mohammad Ali – and that was of immense satisfaction to me. Whole of Pakistan is a witness to Chaudhry Ṣahib's ability, statesmanship and depth of knowledge. Hardly there is a need for me to recount his qualities here but must say this much that he not only worked with me day or night and shared my burden even in unrelated personal, semi-official or official chores, he bore pain to make me comfortable. At every step I benefited by his advice and wisdom.

Preparation of written statement on the Kashmir dispute: We boarded a Panam flight at night expecting to arrive in New York on 10th of January. But on the 9th evening we were informed during a halt at London that due to engine fault the plane would be late in taking off but the time of departure would be known only in the morning. Then we were told that the flight would leave in the

evening. Making use of this delay we sat down in the high commission to prepare a written reply to the documents that were annexed to India's application to the Security Council. Some notes were compiled with the help of Chaudhry Mohammad Ali and then in his presence and under his supervision a written statement was drafted before leaving for the airport in the evening.

Leaving London we landed at Gander in a snowstorm where we spent the night at the airport but found a place to sleep. The statement dictated in London was typed by the accompanying stenographer by remaining awake best part of the night. My cabin was separated from his by a wooden partition, the clanking of typewriter not permitting me to sleep. Leaving Gander on the 12th morning we reached a snow-bound New York in the afternoon. Mirza Abul Hasan Ispahani, Pakistan's ambassador at Washington, was present at the airport. It caused some anxiety that we shall have to go straight to Lake Success. Besides the fatigue of a waking night our papers were not compiled nor had found time to think over the case. As we alighted from the plane the ambassador told us not to worry as on receiving information that we wouldn't be able to get there on time, on his request to the president of the Security Council, the session had been put off to the 15th of January. That was a glad tiding. Instead of going to Lake Success we headed straight for Barclays hotel and heaved a sigh of relief.

The 13th and 14th of January were devoted to the preparation of the case. The time was just enough to review and fair out the draft dictated to the stenographer in London and to write down the notes that were to form the basis of explaining the facts to the Security Council. Since the dispute was raised by India, the Indian delegate was to speak first. The reply to his speech could be prepared only after hearing him. The material for it however could be collected and put in sequence before hand. Though India was in the position of a complainant, aggrieved, in fact, was Pakistan and India was a culprit. That was also the time to prepare the outline of our case as a complainant. In short those were extremely two busy days.

Sir Gopalaswami Ayngar who for years had been prime minister of Kashmir and a central minister was leader of the Indian delegation Sir Girja Shankar Vajpayee and Mr. M. Sitalwad were assisting him. Argentina, Belgium, Canada, Colombia, France, Syria, Yugoslavia, Soviet Union, Britain, USA, France and China were the members of the Security Council – the last five being permanent members.

Indian delegate's speech on the Kashmir dispute: Sir Gopalaswami Ayngar spoke in the afternoon of 15th January. The essence of his speech was that the Maharaja of Kashmir had willingly acceded to India. Instigated and aided by Pakistan, the tribesmen had raided the state causing much commotion and bloodshed. To check the tribes, India had to send its army. Thus it became a war-like situation. Pakistan, he alleged, was backing the raiders fully and number of officers and troops had joined them. Pakistan, thus, had violated the international law and must be restrained. Pakistan should stop aiding the tribes and persuade them to withdraw. On accession, he explained, India's viewpoint was that where the ruler belonged to one religion and the majority of his subjects to another, it was incumbent on the ruler to go by the opinion of the majority. India was fully committed to that principle. So, once peace returned to the state, India would make a final decision on the accession keeping in view the wishes of the people. After his speech the session was adjourned for two days.

Reply from Pakistan side: In my speech I said the delegate from India had deliberately left the complexities of the issue unsaid and laid stress only on its accusatory aspects against Pakistan. Therefore, from Pakistan's side, I must bring to light the complexities underlying the dispute to show India that India was the culprit. I clarified the issues which the Indian delegate had not because it went against his country. Even a brief narrative of each issue, or event, needed time but the time available in that session was no more than two and a quarter hours. It took three sessions to complete my speech.

Some years later the Colombian delegate told me that after the speech of the Indian delegate, the impression gathered by most members of the Security Council was as if Pakistan had set on warpath soon after gaining independence endangering the world peace. "But after you brought the facts to light, all of us were convinced that India was being cunning and deceitful and the people of Kashmir were being subjected to repression. That impression persisted to the end", he said.

***Kashmir dispute and Mr. Sitalwad's harsh language*:** Replying to my speech a few days later, Mr. Sitalwad, at the very outset, used some harsh language against me. He was a very able lawyer. He put his ability to good use but to breath life in a dead case was even beyond him. May be some among the members were influenced because ambassador Ispahani always felt uneasy lest any member fall into Mr. Sitalwad's trap. To prove India innocent and free of even a stain of guilt, he went on to say as much that while accepting the Maharaja's request for accession India, on its own, had made it clear to him that the accession was provisional and would become final only after the majority of the people of Kashmir had endorsed it in a free expression of their opinion. "What further evidence there could be of our being just", he said and went on to say much more that was devoid of substance or was wholly baseless.

That provided an occasion to me to prove to the Security Council that the actions of India were quite contrary to its contentions. It was also my impression that whatever Mr. Sitalwad had said or done was not being dishonest or deceitful by design but he wasn't really aware of the facts. He could scarcely believe they were true when I put them across.

In the third session some members of the council, and the audience as well, expected me to protest against the harsh language employed by Mr. Sitalwad to convey to him, as an Urdu saying goes, that "we too have a tongue in the mouth". But I was not at all upset by his harsh words. Instead, the comforting thought for me was that the members of the council must have

viewed the weakness of India's standpoint as an evidence of the harshness of Mr. Sitalwad's language. Referring to it in my reply I said only this much: "Mr. president and members of the council, in the previous session my learned friend Mr. Sitalwad in his speech had used some harsh words about me. About Mr. Sitalwad I have to say only this much that I have known him since long. When I was a judge of the federal court of India, I have had an opportunity to hear him argue on a number of occasions. In my opinion he is India's ablest lawyer and it isn't his wont to use harsh language. On this occasion, considering the weakness of his case, I can imagine his problem. In the circumstance, his use of strident language was an exception which must be ignored".

In my speech I rebutted his facts and reasoning in detail and, by the grace of God, effectively. The Kashmir issue was debated a number of times after that but neither from Pakistan's side nor from India's harsh language was ever employed. In fact it was quoted as an example in the UN that despite severe differences the representatives of India and Pakistan respected each other and in presenting their facts and arguments, howsoever forcefully, took care not to generate undue hostility.

Mr. Krishna Menon: Regretfully the standard then set could not be maintained when Mr. Krishna Menon started arguing on Kashmir for India. But even he took care that no untoward language was used at least in my presence.

In my first tenure as judge of the International Court of Justice, a proposal was mooted by Pakistan that the differences between parties on the interpretation of the proposals of the Kashmir Commission should be referred to the court for opinion and the parties should abide by it. One reason that Mr. Menon gave for rejecting the proposal was that a "religious zealot" (my humble self) who was a member of the court and though he would not sit on the bench his being a judge in itself would be a cause for him to worry. Later, when I was Pakistan's permanent representative at the UN, I revived that very proposal stating that since the "religious zealot" was no longer a judge of the court, there

could be no excuse for not agreeing to the proposal. Mr. Menon while sitting in his chair turned toward his secretary to ask whether he had ever called me a "religious zealot". The secretary nodded in the affirmative.

Speaking at the Security Council, Mr. Menon once said that his prime minister had never used the word "plebiscite" in connection with Kashmir. In reply I quoted ten instances from the speeches of Pundit Nehru in which he had used the word "plebiscite" for determining the wishes of the people of Kashmir and went on to add that I could give many more instances but will not hoping that the instances I had quoted would be enough to satisfy not only the members of the council but also the Indian representative as the word "plebiscite" had been frequently used by the honourable prime minister of India. When it was Mr. Menon's turn to speak he had only this much to say on this subject that he would reiterate his contention that his prime minister had never used the word plebiscite. What an obstinacy!

Sir Gopalaswami Ayengar: Against that Sir Gopalaswami Ayengar, though unbending in his views, never distorted or exaggerated the facts. In my first speech while recounting the atrocities of the Dogra rule I had said that uptil 1934 to slaughter a cow was not only a crime but a serious crime punishable with imprisonment for life. In 1934 the punishment was reduced, but even then it was, perhaps, seven years. As we walked out of the session, Mr. Ayengar put his arm around me and said "where was the necessity to go into such details". I said he should leave it to me to decide what was necessary but "you have been prime minister of Kashmir for quite some time, you tell me what is the punishment for cow-slaughter now"? He said: "Truly speaking the rigorous imprisonment is ten years and not seven but you tell me why you had to migrate to Pakistan on partition when your home is in east Punjab. Had you stayed on in India you would have been India's first chief justice". I replied, "I know that but I also know that I would have been chief justice only in name and practically a prisoner". He said it was a sheer delusion.

After two speeches from each side, the Security Council decided that the president of the council for the month of May, Prof. Lyngonhof, and the president for February, Gen McNaughton, would present before the council a practical plan for the solution of the dispute. The presidency changes every month. For January it was Belgium and for February Canada. Discussions started at the beginning of February. The two presidents would talk to the parties separately. Hearing the speeches of the parties, members of the Security Council had come to the conclusion that though the issue was important its solution should not present any difficulty as the parties were agreed on the basic principles that decision on the accession of the state will be in accordance with the wishes of the people. The responsibility of the council lay only in suggesting how their wishes should be determined to which both parties may agree. That would facilitate ceasefire and the tribes and other volunteers could also be persuaded to withdraw. Further, once the people of Azad Kashmir (the part controlled by Pakistan) are also satisfied that they would get the right of self-determination they, too, would stop fighting.

During the sessions of the council and whenever free from discussions with the two presidents, Chaudhry Mohammad Ali and I would separately meet with the members of the council to explain our viewpoint and suggest a solution if they stated any difficulty. In pursuit of that objective we had to see each member of the council three or four times. The Soviet Union, seemingly, till then was neutral though they showed little interest nor ever expressed an opinion. The British representative in the UN in those days was Sir Alexander Cadogan but in view of the importance of the dispute the Minister for Commonwealth, Mr. Philip Noel Baker, would himself come from London to represent Britain. The representative from America was Senator Warren Austin. Both of them were keen that the Security Council should come up with a solution that leads to a peaceful settlement of the dispute. We were also aware that the two presidents of the council besides talking to us and the Indian delegates were also constantly holding consultations with the members of the council. In our talks with the

members we could make out which way the council was inclined and the points on which India laid stress.

Resolution of the six-member council and India's stubbornness: After mutual consultations the council agreed upon a resolution and six of its members presented it to the Council for balloting. The resolution did not meet all of our expectations but conceded our stand in principle. Therefore, we showed our inclination to accept it subject to certain clarifications and criticism of a part of it. India opposed the resolution and altogether refused to accept its central proposal.

The proposal was that since it was important to keep the ballot impartial and independent, the administration of the state should also be based on the same principle Mr. Noel Baker who was forcefully supporting the proposal also tried to bring round the Indian delegation, and, through the delegates, Pundit Nehru to accept it. However, he did not succeed. In a meeting the American representative, Senator Warren Austin, told us that the Indian delegation was pressing the point that the Security Council should just organise the return of the tribesmen and volunteers, keep the people of Azad Kashmir out of the battle and leave the rest to the Indians. Senator Warren said he had made it clear to the Indian delegates that the Security Council did not view its role in that light. Instead it was duty bound to get the bottom of the dispute to discover as to why the people of Azad Kashmir were compelled to take up arms. Quite obviously, as they saw the right of self-determination vanishing they were compelled to resort to arms. The only way to stop the fighting, he argued, was to assure them that the right for which they had waged the war, they could get without fighting. Without that there could be no ceasefire.

Request from India for adjournment: After the exchange of views it was the time to vote. By then the delegates who had expressed their views on the resolution, all of them, were supporting it. The expectation also was that if not unanimously the resolution will be carried by ten out of the eleven votes as the

Soviet Union was expected to remain neutral. Just at that time, Sir Gopalaswami Ayengar sought permission to speak, that granted he said that the delegation had received instructions to return to Delhi for further briefing and requested that the session should be adjourned till their return.

The request surprised and saddened the members of the council. All of them could make out that India did not mean well. Most among them were content to observe that the war was on and lives were being lost which must stop and hoped that the Indian delegation would return soonest possible so that the Security Council may carry on its proceedings without a break longer than absolutely necessary. Some other members were more disconcerted. For instance, the delegate from Colombia thus addressed the Council thus: "Mr. president, you and the members of the council would recall that only the other day the learned representative from India had complainingly said that Kashmir is burning and the Security Council, Nero-like, was playing the flute. May I make bold to ask the learned delegate from India whether the fire that was burning Kashmir has simmered down and if not who is playing the flute now?"

Irked by the criticism, Sir Gopalaswami Ayengar said he was grieved to see an honourable member of the council expressing such tormenting thoughts on a legitimate request. Despite such sentiments, the council had no alternative but to adjourn the session.

***Kashmir issue: Contacts and scheming between Delhi and London*:** As the adjournment prolonged, Chaudhry Mohammad Ali talked to me about our meaningless stay in New York waiting only for the Indian delegation to return. "But if we go back to Pakistan", he added, "the adjournment may become permanent and, as a consequence, the members of the council might lose interest in the issue. My guess is that the issue of Kashmir is presently under discussion between Delhi and London". He proposed that we should go to London in an attempt to find out "what is cooking there".

Both of us went to London and filed a request to see foreign minister Ernest Bevan and prime minister Attlee. The foreign minister agreed to see us at 11 o' clock and the prime minister at 3 in the afternoon the same day. The foreign minister was a forthright man and I sincerely respected him. The attention with which he listened to me gave me the impression that he was fully acquainted with the situation. He said: "I sympathise with you and also agree with you but in the affairs related to India the prime minister was greatly influenced by Cripps. "He has been at him" were the exact words he used". He could only wish me good luck in my meeting with the prime minister later in the day. I explained the state of affairs to Chaudhry Mohammad Ali at lunch. Both of us agreed that the events were poised against us.

At 3 o'clock I called on the prime minister. He looked visibly perturbed. Though I had known him for 20 years when he was a member of the Simon Commission but we never really got to know each other well. I also recalled that while introducing the bill for the independence of India in the parliament in his speech he had regretfully referred to Quaid-e-Azam not agreeing to his proposal to appoint Mountbatten as governor general of both dominions – India and Pakistan. Lord Mountbatten, his favourite, was the governor general of India and Stafford Cripps was also a supporter of India.

On the other hand, at that time Pakistan had no supporter in the British cabinet. It was an uneven contest. I was with him for about three-quarters of an hour but not once did he look me straight in the eye. Looking the other way, he would only say "not to worry, the Indian delegation will soon reach New York" but defied all my efforts to persuade him to use his influence on India to stand by its commitment and demonstrate it by complying with the resolution that was before the Security Council. But he wouldn't listen. "Why should you insist on the resolution, the real purpose can be achieved through other means as well" he said and embarked on a litany of this or that. I would point a flaw in whatever he had to say but he would not come to the point. Achieving nothing, I came back

to inform my colleagues and also sent a report to Nawabzada Liaquat Ali Khan before going back to New York – Chaudhry Mohammad Ali accompanying.

Kashmir dispute – atmosphere changes: The Security Council resumed its session on the return of the Indian delegation after a few days but the atmosphere had changed. As said earlier, Russia was till then neutral on the plea that it was Commonwealth's internal problem. Britain and USA were in the forefront. The other members, no doubt, had their own views but paid attention to their opinion. The US, by and large, went by the advice of Britain as it was a Commonwealth issue. The British delegate, Philip Noel Baker, was trying to evolve a workable solution based in the consent of the contending parties but his prime minister was not prepared to act on his advice. The influence of Lord Mountbatten and Sir Stafford Cripps had come to hold. Mr. Noel Baker's secretary told Mr. M. Ayub, the secretary of our delegation, that the differences between prime minister Attlee and Mr. Noel Baker had reached a point where the latter was thinking of resigning which was later confirmed by Mr. Baker himself in 1951 when he was no longer in the foreign office.

I had been on friendly terms with Mr. Baker since 1933. In 1951, the General Assembly of the UN was in session at Paris when Mr. Noel Baker, while in transit, came over to see me and Kashmir came up in our conversation. He told me that it caused him great anguish to recall that the solution was in sight when things went wrong. He went on to elaborate: "In 1948 at New York with considerable effort I had been able to persuade both Sir Gopalaswami Ayengar and Vajpayee to bring Pundit Nehru round to agree to the UN resolution. They had promised to do their best. On a Saturday they came to see me separately to say that though not yet confirmed their message, seemingly, had received a favourable response and they expected a clear–cut direction in a day or two which they would confirm it to me. Then on Monday I received that disastrous telegram from Attlee upsetting everything. I strongly protested but Attlee would not listen to me and, instead, carried a grouse against me. Soon after that I was

transferred from the Commonwealth Office, to the ministry of fuel and power and sometime later altogether removed from the cabinet."

In a session of the Security Council towards the end of March, when the representative from China who was also president of the council for the month all fears came true. The resolution conformed to the proposed that prime minister Attlee had mentioned in passing to me in London. It was a resolution much weaker than the first one. The fact to come to light was that at the time Mr. Noel Baker, through Sir Gopalaswami Ayengar and Sir Girja Shnakar Vajpayee, was trying to bring Pundit Nehru round to agree to the first resolution, at that very time Punditji through Lord Mountbatten and Sir Stafford Cripps was pressing Mr. Attlee to omit from the resolution the part that went against the Indian interests. Mr. Attlee, who from the very outset, was opposed to the Pakistan movement and also nursed some grievance against the Quaid-e-Azam readily gave in by going against his own directions and the advice of his own minister for Commonwealth affairs, Mr. Noel Baker.

Resultantly, a new and weak resolution was brought before the council replacing the one that was earlier proposed. The environment in the council changed drastically and Pundit Nehru learnt how through underhand manoeuvers and tactics the efforts of the Security Council can be rendered ineffective. Just as the Palestine dispute had become a source of enormous difficulties and problems for the Middle East in particular and for the Islamic World in general because of the Zionist policies of President Truman, in the same manner the Kashmir dispute that had led to wars between India and Pakistan and potentially threatened the peace of the sub-continent, and generally of the rest of Asia, owes its origin, besides Mountbatten and some others, to prime minister Attlee. In the history of mankind these two pygmies of men apparently of no consequence Truman and Attlee – will be counted among those whose injustice destroyed the peace of the world.

***The UN commission for India and Pakistan*:** As the new resolution was presented in the Security Council, Chaudhry Mohammad Ali and I embarked on a series of talks with the members of the council day and night in an attempt to strengthen the new resolution to the extent possible. Through persistent coaxing the president of the council from China also agreed to some minor amendments and clarifications but the main body of the resolution remained as was proposed by Mr. Attlee. The new resolution was approved in the April session chaired by the delegate from Colombia. The resolution envisaged a three-member commission to visit the sob-continent to implement the various proposals contained in the resolution in consultation with the parties, with their consent and after ascertaining the wishes of the people of Kashmir freely expressed. On a proposal by the president of the council the number of the members of the commission was raised from three to five. It was decided that the Security Council would nominate two members who, in turn, would choose the third one and one each to be nominated by India and Pakistan. The council nominated Belgium and Colombia and together they nominated the United States of America. Pakistan nominated Argentina and India Czechoslovakia. The commission was to be called the United Nations Commission on India and Pakistan – UNCIP. The dispute on Junagadh and some other issue raised by Pakistan were also entrusted to it but generally it became known as the Kashmir Commission.

***Kashmir issue will be decided in Kashmir*:** The Indian stand till the passage of the resolution was that the Security Council should arrange to stop the fighting, the rest should be left to them. When the Indians sensed that the Security Council insisted on resolving the basic issue under its own supervision, India decided to step up the war effort. We were still in New York when we got wind of the Indian plan. Chaudhry Mohammad Ali and I put our heads together and concluded that we must send our troops to the front to deter India. I intended to convey my opinion to Prime Minister Liaquat Ali Khan . Though Chaudhry

Mohammad Ali guessed that India would go for a war solution, he was wary of transmitting the advice telegraphically. He thought if the cipher message is intercepted we would be in dock before the council. He proposed we send the message through a special courier. I maintained that the situation was critical and delay could be dangerous but no further harm would be done if the contents of the message were to leak out.

The Security Council had largely lost its credibility. If it had no guts to tell Pundit Nehru what it must, it could not tell us either. I argued. If we were to do nothing for fear of the council the damage to our cause would be irreparable. Chaudhry Mohammad Ali did not seem to agree with me but reluctantly went along and I sent a cipher message to the prime minister saying "the Kashmir dispute will be decided in Kashmir" and not in New York. And considering India's war preparations, it appeared necessary that we also send our regular troops to the front.

Summary of the commander-in-chief's report: On receiving my telegram, the prime minister called for a report from the C-in-C, Sir Douglas Gracy. The C-in-C's report, in brief, confirmed that the Indian forces were preparing to launch a forward thrust soon and in such large numbers that the Azad Kashmir contingents on the ground wouldn't be able to face up to them endangering not only the Azad Kashmir territory but also parts of Pakistan. It was likely that we may lose the canal headwork's at Mangla. He was also of the opinion that to counter the danger regular troops should be dispatched to the front. The prime minister who was also the defence minister ordered the troop movement. Thus, in the last week of April and first week of May, Pakistani forces became a party to the war effort. Dispatch of troops to the front was no secret. Some months later Pundit Nehru started alleging in his speeches that though Pakistan's foreign minister had been telling the Security Council that his army was not directly involved in the war, he had found evidence early in May 1948 that Pakistani forces were indeed taking part. The foreign minister of

Pakistan thus had been guilty of making wrong statements before the council but Pakistan was compelled to concede that its troops were fighting on the front only after India gave a proof of it to the commission on its arrival in the sub-continent.

My statements (on our troops not being involved in the war) were made in the Security Council in January and February of 1948. Regular troops were sent to the front at the end of April and beginning of May in that year. My statement, therefore, was wholly correct. The members of the UN Kashmir Commission who had come to India from Geneva for the first time on the 7th of July 1948 came to call on me on the day of their arrival. I had the maps of the war front hung in the meeting room. After tea and exchange of formalities, I told them that noticing the preparedness of the Indian forces at the conclusion of the proceedings of the council, Pakistan was compelled to send troops to the front on the advice of the commander-in-chief at the beginning of May and were engaged in fighting since then. I explained the whole position to the commission with the help of maps.

Uptil then the commission had not heard of this development from any other source and it had yet to go to Delhi. It was, therefore, not correct on the part of Pundit Nehru to claim that he had provided evidence of the presence of the Pakistani forces on the front and the commission could not help but agree. We had informed the commission about it in its very first meeting at Karachi.

***Members of the UN Kashmir commission*:** The task entrusted to the commission was extremely important demanding utmost responsibility. But it must be said with regret that the concerned governments in selecting the members of the commission acted indifferently. The members, without a doubt, were gentlemen but in their political understanding, courage and capacity did not measure up to the standards that their duties demanded. Only one among them possessed, to an extent, the qualities required. He was Dr. Josef Korbel from Czechoslovakia who, his duty done, wrote a book on the activities of the commission titled "Danger in Kashmir". Its second edition appeared in 1966.

Belgium's first representative was an ageing baron who was interested only in dining, wining and sleeping. If he ever paid attention to the commission's proceedings it was only to see that no action of the commission should hurt Pundit Nehru's tender susceptibilities. The member from the United States would attend to the work a bit his gentle nature outweighed his courage. The Colombian representative was somewhat like Dr. Korbel. He showed signs of life but his limited understanding of the English language came in the way. The member from Argentina was so gentle and full of grace that it was hard for him to speak.

To the extent the commission performed its duty, 60 per cent credit went to Dr. Korbel, 20 per cent to the representative from the US and 10 per cent to the Colombian. Dr. Korbel left the commission at the beginning of 1949. After his departure the commission was half dead. A little later it died.

Dr. Josef Korbel, member of the Kashmir Commission: At the time of his appointment on the Kashmir Commission, Dr. Josef Korbel was Czechoslovakia's ambassador in Belgrade. Czechoslovakia was nominated on the commission by India. As his country started drifting into the communist bloc, he arranged to send his family to London early in 1949. After resigning from the commission he went to England and later shifted to America where he became a professor in the social science foundation at the Denver University.

Presently, he is director of the foundation and head of the department of international relations. My relations with him starting with his days in the commission strengthened after he had resigned and, in course of time, bloomed into deep friendship. At his behest I was invited to lecture at the Denver University. He received me with utmost courtesy and affection.

Later, when I was in Denver and, by then, on informal terms with his wife and children, I spoke to his son thus: "When your father and I met for the

first time in the commission he would eye me with suspicion and wouldn't trust what I had to say until he had verified facts to his satisfaction".

Dr. Korbel was also there at that time and what I had said was really meant for his consumption. A serious–minded man, he chuckled and said: "It was not that way. Other members were indeed somewhat scared of you. But it was because of your ability and not lack of trust. In the beginning all of us had a feeling that both you and Mr. Mohammad Ali were not inclined to accept a thing only because Pundit Nehru had said it and demanded that whatever he wanted to say must be explicit and in writing. Your insistence caused us surprise and was often troublesome. It was hard for us to understand how you two were always so hesitant in believing the word of a man of high-stature who was universally respected. But our impression did not last long. The experience of frequent dealings with him bore out the authenticity of your viewpoint. If it is of any satisfaction to you today, I have no hesitation in saying that when I parted company with the commission all of us were unanimously of the view that all of your suspicions of Pundit Nehru were more than justified".

My opinion of the members of the commission, right or wrong, there should be no doubt that they were not at all wary of commuting between Delhi and Karachi and two or three among them were hard at work. The commission prepared its first resolution on 13th of August 1948. India accepted it as, by and large, it favoured the Indian stand. But Pakistan government did not accept for a variety of reasons, the foremost being that the resolution was confined to ceasefire and withdrawal of troops but contained no proposal for plebiscite.

The commission, nevertheless, continued to work and finally in December 1948 came up with a second resolution as an appendix to the first one and presented it to both governments. In that year the General Assembly was to meet at Paris. The commission also shifted there and prepared a second resolution as an appendix.

In the last week of December 1948 both governments accepted the two resolutions. At that stage the commission invited both parties to stop fighting as

an agreement had been reached on the real issue and fighting would only cause loss of life and property. On the persuasion of the commission, hostilities ceased on January 1, 1949. Though the second resolution was adopted at the end of December, it was noted to have taken effect from 4th of January. After that the commission demarcated the line separating the two armies. The next stage under the resolution of the 13th of August was to arrange a truce agreement for the withdrawal of the troops.

The commission met at Karachi to deliberate and later summoned the military representatives of the two sides to Delhi to prepare a plan for the troop withdrawal under the resolution of 13th August. As the representatives of the parties appeared before the commission, Pakistan submitted its plan. The Indian representative, on the other hand, said that the plan was ready but the command-in-chief and the prime minister had yet to see it, hence asked for some more time. Finally, the plan was presented with delay of a week or ten days with a rider that the commission may see it but Pakistan and even the Security Council must not. Thus, till today it is not known what the Indian plan was.

The resolution relating to the withdrawal of forces envisaged that after the tribal and other voluntary fighters had left the state, all of Pakistan's troops and bulk of Indian troops would also leave. After the ceasefire, the tribes and volunteers left the state to the satisfaction of the commission. The question then arising was how much of the Indian forces that had entered Kashmir should be treated as "bulk". The commission and Indian representatives could not agree on this point. The commission in its report then wrote that it was not authorised to comment on the Indian plan as India had imposed a condition that the commission must not reveal the details of the plan. However, after deliberations it had come to the conclusion that "neither quantitatively nor qualitatively does the plan comply with the terms of the resolution".

At this stage the commission also observed that a line separating the forces after the ceasefire having been drawn, an individual rather than a commission would be more suitable for overseeing further proceedings.

Sir Owen Dixon's appointment as representative of the UN: Agreeing to the recommendation of the commission, the Security Council appointed Sir Owen Dixon, a judge of the supreme court of Australia (later chief justice), as UN representative in the Kashmir dispute with the direction that after settling the terms he should arrange to hold a plebiscite to ascertain the wishes of the people or, with the consent of the parties, adopt any other method. Sir Owen Dixon was a very able and seasoned man. He first came to Karachi and later went to Delhi. Seemingly, he soon arrived at a conclusion that the prime minister of India would not ever agree to any condition under which a free and impartial plebiscite could be held.

Having come to that conclusion, he started considering some other appropriate and effective device. A proposal came to his mind and he mentioned its outlines to Pundit Nehru and asked him whether, before he set it out in detail, he would be willing to discuss it with him and the prime minister of Pakistan. According to Sir Owen, Punditji showed his inclination. He told Punditji that he would be going to Karachi to put the same question to the prime minister of Pakistan. If he also agreed, he would get down to prepare the details and invite both parties for exchange of views.

Sir Owen came to Karachi and discussed his scheme with me and Chaudhry Mohammad Ali. We told him that since the details of the proposal were yet to be prepared if the parties were unable to agree what would be the next step. He said he would make it clear that in such a situation it would have no bearing on the stands of the parties and the two resolutions of the Security Council to which both had agreed would hold the field and remain binding on the parties. On this stipulation, Nawabzada Liaquat Ali Khan agreed to discuss Sir Owen's proposal after its details had been worked out by him.

The first hurdle crossed, Sir Owen said he would invite the parties for discussions after working out the details. Chaudhry Mohammad Ali requested him to inform Pundit Nehru that since both parties had agreed to the proposal, he

would get in touch with him after the details are ready. Sir Owen who, till then, had no experience of Punditji's style of work said that shouldn't be necessary. Since Chaudhry Sahib knew Punditji better, he insisted that he must inform him telegraphically. On his insistence, Sir Owen sent a telegram to Pundit Nehru the next day stating that the prime minister of Pakistan had also agreed to a joint meeting after the details of the proposal of which he had already discussed the outline with him, were worked out.

The next day Sir Owen came greatly perturbed. "Can you imagine", he said, "Pundit Nehru's amazing reply to my telegram"? Then he read it out: "I cannot understand the contents of your telegram. I am not aware of any of your proposals. For me it is a wholly new matter. We will discuss it when you come to Delhi".

Sir Owen said his discussion with Pundit Nehru on his (Sir Owen's) proposal "was absolutely clear leaving no room for any misunderstanding. May be after mulling over it he came to the conclusion that to discuss it wouldn't be in his interest, hence he had changed his mind. But for him to say that he hadn't ever heard of the proposal and it was wholly a new thing for him was denying a fact. Though my going to Delhi would serve no purpose, I shouldn't be rejecting his invitation either as it would be rude. So, I would be leaving for Delhi tomorrow and may be the riddle is resolved there".

On return to Karachi on the third day, he told us that Sir Girja Shankar Vajpayee had come to receive him at the airport and as they got into the car, he told Vajpai that "for the prime minister to change his mind was understandable but how could he have ever written to me that he knew of no scheme of mine and that it was a wholly new thing for him." To that Sir Girja Shankar's barely audible reply was: "Sir Owen, I believe the Prime Minister must have suffered an attack of temporary amnesia".

It wouldn't be appropriate for me to reproduce what Sir Owen had to say after repeating Sir Girja Shankar's remark now that Pundit Nehru is no longer in this world.

Dr. Frank Graham's appointment: Sir Owen Dixon sent the report of his failed mission to the Security Council. After hearing the parties, the council requested the representative from Canada, Gen McNaughton, to talk to the parties and put up a practical proposal for the resolution of the dispute. The proposal of Gen McNaughton was, in substance, the same as was Sir Owen's.

India once again rejected it. Later, Dr. Graham was appointed the UN representative on Kashmir. He came to Karachi a number of times and also went to Delhi and exchanged views with the parties at Geneva as well. Not one, he presented six reports of the discussion centering around the withdrawal of troops. Pakistan agreed to implement practically every proposed he put forth but India refused. The efforts of the Security Council itself also could not persuade India to give up its stubborn stand.

For quite some time, the only issue debated was the number of troops that India must withdraw out of the total stationed in Kashmir. Every time India came up with a new issue of a different kind. Wholly fed up, I addressed the council on these lines:

"Mr. President and members of the council, the point in dispute is the number of troops that India is bound to withdraw in pursuance of the 13th August, 1949 resolution of the council. The words of the resolution are 'bulk of the forces'. The debate is only on what the 'bulk' means. In whatever way interpreted it means "excess" that is to say most of the troops are to be recalled from the state. India put forward a proposal before the commission complying with this condition of the resolution which the commission held was not complaint. That is to say, the number of troops India offered to withdraw did not constitute the 'bulk' or larger part of the Indian troops stationed in Kashmir – and the troops staying behind would be the lesser part. Gentlemen, I place before you, and through you before India, a very simple proposal. I do not know, nor you know, the number of troops that India had proposed to take out of the state and the number that was to stay back. But we do understand this much that the

number that India had offered to take out was, in their estimation, more than the number staying behind. My proposal is that the number that it had proposed to take out and which, in its estimate, was larger should not be taken out. Instead, India should take out the number it proposes to leave behind in the state claiming it is smaller. India should have no objection to this proposal".

India did not agree even to that proposal which showed that it intended to recall only the smaller part of the force.

India's policy to convert Kashmir into its colony: Meanwhile, India employed every possible device to win the people of Kashmir over to its side overlooking the reality that the very factors that led to the separation of Pakistan also stood in the way of Kashmir's union with India – the hurdles in the case of Kashmir, in some ways, more insurmountable. In the Indo-Pakistan sub-continent though the Muslims had a bitter experience of Hindu mindset, they were somewhat shielded by Britain's sovereign authority. Against that in Kashmir the Dogra rule ruthlessly suppressed the Muslim population unhindered for a hundred years. It would be vain to hope that the Dogra brutality would ever fade away from the hearts and minds of the Muslims. Further, the treatment meted out to the Muslim minority in independent India itself is enough to open the eyes of the Kashmiri Muslims. Thirdly, the brutal and shameful manner in which the Indian army is treating the Muslims of Kashmir is tending to create an unbridgeable gulf between India and Kashmir's Muslim population.

Is it not a lesson enough for India to learn that the same Sheikh Abdullah, the Lion of Kashmir, whom Pundit Nehru paraded around to vindicate his stand on Kashmir, fed up with the Indian attitude and Punditji's own betrayals finally stood up to support the right of self-determination for Kashmir. For that "sin" Nehru put him in prison for 12 years without trial.

Freed from long incarceration, Sheikh Abdullah keeps struggling vigorously to win that right. Speaking at a convention of the Kashmiri masses he confessed that he had made a big mistake by reposing trust in the promises of

Pundit Nehru and accused him not only of going back on his promises but also of retracting from the commitments he had made to the Security Council and, instead, converted Kashmir into a colony of India.

One among many measures that India took to secure Kashmir's accession was to establish a constituent assembly for the state. As soon as a preliminary announcement was made, Pakistan protested in the Security Council. Responding to the protest, Sir B.N. Rao, then India's permanent representative in the Security Council, declared that no one could bar the proposed assembly from stating its opinion on the issue of accession. But since the issue itself would be beyond its jurisdiction, its opinion would have no bearing on the dispute that is before the council. That commitment of the Indian government, however, met with the same fate as had its other agreements. The emerging Indian refrain was that since the (so-called) constitute assembly of Kashmir had endorsed the state's accession to India, a plebiscite on this issue was no longer necessary.

As Mr. Krishna Menon came to represent India in the Security Council, he disowned the Indian responsibility outright. His assertion at first was that the state's accession to India from the very beginning was unconditional, firm and permanent and admitted of no change. Secondly, the resolution of the Kashmir Commission on the withdrawal of Indian forces could have come into force only after Pakistan's forces, one and all, had gone out of Azad Kashmir. But since Pakistan had not fulfilled its commitment, India's responsibility (to withdraw the bulk of its forces) was over. Thirdly, since the conditions had undergone a radical change. India no longer felt bound by the resolution. Fourthly, since India has constitutionally declared Kashmir a part of India, the dispute no longer existed and there was nothing left for the Security Council, or any other organisation, to say or to do.

A comprehensive and satisfactory reply was given to whatever he had said but Mr. Menon stuck to his twisted arguments. The Security Council which had already shown its helplessness following Mr. Attlee's unfortunate actions, its members would listen to Mr. Menon's gimmicks only to suppress their laughter.

It was said on behalf of Pakistan, time and again, that no one party could one-sidedly decide an international dispute and if the Security Council at all sensed an element of truth in the excuses put forth by India, it could refer all such matters to the International Court of Justice for opinion. And the court may be requested to give its advice after hearing the viewpoint and arguments of the parties on their responsibilities under the resolutions of the Kashmir Commission dated 13th August 1948 and 4th of January 1949. The parties may then be told to fulfil their respective responsibilities. India did not agree even to that. In short, even if the government of India ever felt persuaded to abide by its commitments, its representatives in stages went back on their own declarations and treaties and finally pronounced that from their side the Kashmir dispute stood closed and the territories of Jammu and Kashmir formed an integral part of India.

The struggle of Kashmiris to win freedom, Pakistan's efforts to secure the right of self-determination for them and the proposals of the Security Council have all been sabotaged by India by a combination of force, fraud and trickery. As a consequence, India has, undoubtedly, lost its reputation in international circles. Outwardly, the men steering India's state policies consider it a cheap bargain but they seem oblivious to the reality which, in one aspect, a poet has described thus:

بترس از آہِ مظلوماں کہ ہنگامِ دعا کردن
اجابت از درِ حق بہرِ استقبال می آید

Batras az ahey mazlooman keh hangame dua kardan
Ajabat az darey haq bahre istaqbal mi ayad
[Fear the prayer cry of the oppressed
as God Himself comes down to earth to receive it.]

The Muslims of Kashmir for more than a century were the victims of Dogra tyranny and now for more than 20 years are enduring Indian atrocities. The brutality for them has been increasing, not diminishing. Allah Almighty

does not favour a country, or a nation or an individual only because of their names. His splendour rises much above such considerations. But, for sure, He upholds the attributes of truth and rectitude, peace and justice, benevolence and mercy, humanity and modesty. Force and brutality, oppression and persecution, inflicting pain and harm evoke His wrath. He is slow in punishing but listens to the cries of the oppressed and sooner or later holds the oppressor to account. He is a Great Punisher and His grip is severe.

***Canal water dispute between Pakistan and India*:** The Indian attitude towards canal waters has been no different than on Kashmir. Before the partition plan was implemented, the governments of East Punjab and India, both assured Pakistan that there would be no interference in the canal waters. India however put forth a viewpoint that since the canal irrigation system in West Punjab was relatively more developed, East Punjab should be compensated. And in determining this compensation not just the original investment and present cost of the canals should be borne in mind but also the appreciation in the value of the state land that may come under irrigation in the future.

Compensation on both counts was determined by an arbitration tribunal that was constituted to decide the division of assets between Pakistan and India. The chairman of the tribunal was Sir Patric Spence, former chief justice of India. The tribunal finished its work on 31st of March 1948 and the next day, i.e. on the 1st of April, the government of East Punjab stopped the flow of water to Pakistan in the canals passing through the Indian territory despite an assurance given to the chairman of the tribunal that flow of water will not be stopped (the compensation award was based on that assurance). Lord Spence, in a speech made in February 1955, had also expressed dismay on India's breach of assurance. Since the distribution of water was purely a legal issue, Pakistan proposed it may be referred to the International Court of Justice but the government of India did not agree.

***Quaid-e-Azam's Death*:** In less than a year after the creation of Pakistan, Quaid-e-Azam's health seriously deteriorated. His health was on the decline before Pakistan came into being but his stern determination prevailed over his weak physique. In mid-1948 more than once I made bold to suggest he take care but he dismissed it by saying not to worry as weak spells for him come and go. I also mentioned my worry to Ms. Fatima Jinnah. She said she was also worried but he wouldn't listen and do what he must.

As his condition worsened, he went to Ziarat near Quetta. The prime minister kept his colleagues informed in a manner that was not assuring but did not add to anxiety either. One evening we got his message to see him at the Governor General House. It surprised me a bit as to why there when there was no news of the Quaid's return. As I reached there, an ADC led me to the garden where all alone and distracted the prime minister was pacing up and down.

He told me Quaid-e-Azam had passed away. I asked him whether he had died in Quetta (Ziarat). "No", he said, "he arrived here in the afternoon and died soon after". He said he had called me over before others as it must be decided forthwith as to who would be the next governor general "What have you have to say about Khawaja Nazimuuddin", he asked. I said "it would be most appropriate. Besides his personal qualities of dignity and stature, his appointment would be assuring for the people of East Pakistan." "That for me clinches the issue", he said.

Quaid-e-Azam's sudden death stunned the nation. The man whose statesmanship and endeavours had led to the creation of Pakistan had departed, such was God's will, at a time the newly-born country was beset with a variety of problems and was utterly dependent on his determination and ingenuity. Had Allah in his infinite bounty bestowed on him ten more years of life. Pakistan, possibly, would have found a solution for the difficulties and dilemmas that keep haunting the people till today. In the words of Hafiz Saadi of Shiraz:

باتبدیرش امید ساحلے بود

Batabdiresh umide sahile bood

[His wisdom gave us the hope of getting to the shore]

Looking back, Quaid-e-Azam died at a time when Pakistan lacked the strength to bear the terrible loss. But Allah knows best His ways and no one dare question His decision.

Introduction of Pakistan as an independent country: From 1948 to 1954 as foreign minister I led Pakistan's delegation to the annual sessions of the UN General Assembly and mostly attended every session from beginning to the end. I also led the country's delegation in 1947 but then I was not the foreign minister. Till then the world was not fully aware of Pakistan's independent status. The delegates from most countries took Pakistan to be an autonomous territory within India which, out of expediency, had been admitted in the UN. Leave alone, the distant countries, even the Arab states were not fully acquainted with Pakistan. It had been in existence barely for a month when the session of the General Assembly started and was yet to be admitted to the UN membership. After becoming a member when I first spoke on the Palestine dispute, even the Arab members were left guessing whether Pakistan would support or oppose their standpoint.

Our delegation had been in New York for some days but despite efforts no one took notice of us. I spoke on Palestine at the first opportunity that came my way. The first part of my speech was on the background of the dispute. The Arab delegates listened to me nervously not knowing which way the argument would go. When I came to the substance of it, they realised that Pakistan not only endorsed the Arab viewpoint but excelled the Arab delegates in martialling facts of the dispute, in explaining its various facets and in forcefully arguing it. They were stunned and delighted beyond measure. After the speech as I came

out of the hall, the Arab delegates surrounded me to give expression to their sentiments in highly laudatory terms. From that day Pakistan became greatly important for them and they looked up to us for support not just on Palestine but in every issue facing the Arabs. Till the time I was in contact with them no occasion ever arose for a complaint.

Pakistan gets introduced to various countries because of its active participation in the UN activities: Early in 1948 India took the Kashmir dispute to the Security Council expecting it to reprimand Pakistan for its undue interference in Jammu and Kashmir after the state had acceded to India. As I explained the correct situation the reality dawned on the council and its members realised fully that Pakistan was not a satellite state of India nor was disturbing world peace. It sought remedy only against Indian excesses.

Experience taught us in the atmosphere then prevailing, that Pakistan could best vindicate its cause and win recognition of nations by actively participating in the UN debates. The circumstances in which Pakistan had come into being and the crises it had to face reduced it to a state in which it could not manage to get even a piece of cloth which would cover it from head to foot. The question of establishing relations with other countries was premature for even the foreign service was yet to be created. It could hardly manage to establish contacts with a few big countries. In such a situation the presence of the UN was no less than a blessing as in its early days the prime ministers and foreign ministers of most countries would personally attend its sessions. In any case, the delegates of all member countries were invariably there. Through them one could settle matters of common interests even with those countries with whom it had not been able to establish diplomatic relations. Kashmir dispute frequently took me to New York to attend the Security Council meetings. Sometimes, I had to spend half of a year at the United Nations.

Issue of Italian colonies: The issue of Italy's colonies was included in the agenda of the UN General Assembly in its Paris session of 1948 but was put off to April 1949 session at New York. After its defeat in the World War, Italy had given up control on its colonies under an agreement with the allied powers and the authority to decide their future was given to the Supreme Allied Council. The agreement stipulated that if the Allied Powers failed to decide a dispute within a year, it would be referred to the UN General Assembly and the arrangement proposed would be binding on all concerned. That is how the Italian issue had come to the General Assembly.

***Libyan independence*:** In a relevant forum it had been decided between the US, Britain and France on the one side and Italy on the other that from among the British colonies Libya will be so divided that its eastern part, Cyrenaica, will be administered by Britain as a trustee, the trusteeship of the central part, Tripoli, will vest in Italy and that of the western part, Fezzan, in France. The three powers were required to prepare the country for independence in ten years' time. Named after the foreign minister of Britain, Mr. Ernest Bevan and foreign minister of Italy, Count Sforza, the treaty came to be known as Bevan-Sforza Pact. When the issue came up for discussion in the General Assembly in pursuance of this pact a resolution was moved. The relevant clause of the pact stipulated that the Assembly would give due weight to the public opinion of the colonies. A Libyan delegation led by Al-Syed Bashir Sodawi was busy explaining to the delegates that the public opinion was wholly opposed to the resolution that sought to split Libya into bits. The people of Libya, he canvassed, were keen to see their country independent at the earliest but in no manner prepared to tolerate the Italian interference.

The western powers were employing all their resources in favour of the resolution. The Latin American states while supporting the right of self-determination thought that since Italy was fountainhead-head of Libya's culture and social values, they will necessarily vote for Italy's trusteeship over Tripoli.

Italian atrocities over Libya's Arab population: In 30 years of occupation, Italy dealt with the Arab people most brutally. In the war of 1912 Italy did not face much difficulty in routing the Turkish forces stationed in Libya but found it hard to subdue the Arab population. This task was entrusted Martial Badoglio whose "pacification" policy was marked by extreme barbarous behaviour. For instance, the sheikhs, or leaders, who wouldn't submit to Italian supremacy were forced into aircraft which dropped them to the ground from thousand-feet high. And if beduin of the desert tried to overthrow the Italian yoke, Marshal Badoglio's artillery surrounded the oasis and poisoned their water reservoirs. Those who tried to flee were hunted down and those who did not died of thirst or drinking poisoned water. When the details of the "pacification" plan were discussed in the Assembly, Italy's stock answer was that those were the doings of Mussolini and his brigands. And since the Italians had disowned Mussolini, his party, as also his policies and crimes, Italy could be trusted to discharge its responsibility honestly and in a civilized manner alongside Britain and France. This assurance gave no comfort to the Libyan delegation nor to other delegates.

The resolution of the western powers impending the Libyan independence: To us Pakistani delegates, the resolution appeared unacceptable for some other reasons as well. We were unable to agree to placing Libya under the trusteeship of one or more powers. We wished to see Libya independent soonest possible and not subjected to a limit of ten years. We were also against its division in three parts as we could foresee that once divided the parts would be hard to put together again. The eastern part was to be administered by the British, the central by the Italians and the western by the French. This division in itself would be a hurdle, and a pretext, in the way of unity and independence. During the debate in the Assembly all these reservations were fully explained by us. Yet another matter which caused me anxiety was that as God in his bounty

had created conditions conducive to Libya's independence through Italy's defeat and the Allies, on their own, binding themselves to implement the Assembly's decision, the resolution of the Allied powers had become a hurdle to Libya's independence. The Western powers seemed to have assumed that whatever proposal they put forth would get the Assembly's stamp of approval as a matter of course.

I was of the view that if we succeeded in getting the proposal rejected, Libya's immediate independence would become a possibility. And once Libya becomes a free country it would pave the way for the independence of the three Arab countries of North-West Africa – Tunisia, Morocco and Algeria. Therefore, I thought, it was absolutely necessary to get the proposed resolution rejected.

The Western Powers had managed to enlist the support of the Latin American countries for Italy's trusteeship of Tripoli. The membership of the United Nations then being less than sixty, under the UN charter's clause 18, two-thirds majority was required for the resolution to be adopted. The impression created by the debate was that, in any case, 15 countries would vote against the resolution. But if a few countries were to abstain and only 54 or so were to take part in the vote, thirty-six votes would be needed in favour and nineteen against. But with all the effort put in, we could be sure of getting no more than fifteen votes. The Arab states were against the resolution but only six Arab countries were members of the UN at that time. From among them, the foreign minister of Egypt, Khushaba Pasha, also campaigned hard and two of us often met to exchange views.

***Libya's independence: Last day of the debate and my anxious prayers*:** The last day of the debate arrived but there no possibility was in sight of getting more than 15 votes. I felt greatly agitated and in that state of agitation in *Zuhur* (midday) prayers I beseeched Allah Almighty in utmost humility: "O the Creator and Sustainer of the Worlds and Lord of the Universe, howsoever sinful,

disobedient and full of faults we might be, after all we are your servants and owe allegiance to your most adored (Holy Prophet), have mercy on us. We lost the case of Palestine, now Libya is reaching the stage of decision. In this territory Your helpless servants have been suffering extreme brutality, now in Your grace and mercy direct us to the path that leads to the freedom of Your wronged and oppressed folk". In the course of the prayer, Allah in his immense grace and mercy made me understand a scheme to follow.

Libyan independence: A conversation with the Egyptian minister: No sooner I finished praying, telephone rang. Egypt's permanent representative was on the line to say that his foreign minister wished to know as to when I would be going over to the UN. If I could make it early, some more discussions could be held. I went over to see the Egyptian foreign minister. He asked me what remained to be discussed and whether I had a new proposal in mind. I said I had one or, more precisely, had been put in my mind. So far, I said: "We have been trying to muster votes against the resolution as a whole but have been able to gather no more than fifteen votes which are not enough to defeat the resolution. We need three or four more and of that apparently there is no chance. Now our effort should be directed at those countries who only to please Britain and France favour placing Cyrenaica under the British trusteeship and Faizan under the French and try to persuade three or four out of them that after voting for the British and French trusteeship clauses, they should vote against the third clause which seeks to place Tripoli under Italy's trusteeship".

Khashaba Pasha: What do we stand to gain even if that were to happen?

Zafrulla Khan: The gain would be that the third clause will be dropped from the resolution.

Khashaba Pasha: Even then, the country will stand divided. Britain and France will become the trustees of the areas proposed for them.

Uptill now you have been insisting that Libya must not be partitioned. How have you changed your view all of a sudden?

Zafrulla Khan: I have not changed my view. Even now I want that, in no case Libya should be divided. But if by following my scheme, the third clause is dropped from the resolution, the division will not tak place.

Khashaba Pasha: How is that?

Zafrulla Khan: If the trusteeship of Tripoli is denied to Italy, the Latin American countries will not vote for the rest of the resolution and when after voting on the three clauses, the resolution as a whole is put to vote the Latin American countries will vote against it.

Khashaba Pasha: (Jumping in joy) It is a wonderful proposal. It didn't occur to me at all. How do we proceed now?

Zafrulla Khan: Haiti among the Latin American countries has no connection with Italy. We should try to win Haiti over. French is the language of Haitians. Some one from your delegation should talk to them. I will speak to Sir B.N. Rao, delegate from India. After further consideration if there is a similar expectation from any other state, we should talk to them on similar lines.

Libyan independence: Separate Clauses of the resolution: I went out looking for Sir B.N. Rao, soon found him and asked him which way was he voting.

Sir B.N. Rao: My government's instruction are that we should not take part when separate clauses are put to vote. But when the whole resolution is put to vote we should vote against it.

Zafrulla Khan: You know well the tradition here. If all three clauses are approved in separate ballots, the resolution as a whole will be easily approved. Opposing it at that stage would be of no avail.

Sir B.N. Rao: So, what do you want?

Zafrulla Khan: The only reason for India not to take part in voting on separate clauses can be avoid to annoying Britain and France. If you so wish, do not take part in the voting on the first two clauses but not to vote against the third clause would be a great wrong. You don't have to please Italy and it is obvious that if the third clause is approved, the whole resolution will stand approved and your objective will be defeated. I would, therefore, say only this much that treat the first two clauses as you may, but you must vote against the third clause.

Sir B.N. Rao (after thinking for a while):This way the result would be as my government wants. Very well, we will do as you suggest.

***Libyan independence: votes in favour 33, against 17*:** The delegate from Haiti also agreed to vote against the third clause. Our efforts continued in the course of the session but did not bear fruit. As the speeches lengthened, the afternoon session was postponed and started after dinner. It was eleven at might before the ballot started. The Western Powers looked content giving to impression that they were utterly confident that the resolution will be approved. We opposing it were nervous and worried. I kept praying in silence to calm down. As the balloting began, the first clause was approved. Approval to the second clause followed. The ballot for the third clause was held by calling out the name of each delegate who would answer by a 'yes' or 'no' in deathly silence. Col Abdur Rahim who at the time was Pakistan's permanent representative at the UN kept noting the answers. As he hurriedly counted his answer he whispered into my ear that the delegates voting for the resolution were 33, against 17 and abstaining 8.

It saddened me that even the third clause had been approved for, in our estimate, 17 votes in favour, 13 against and 8 abstaining wouldn't be enough to defeat the resolution. But as I weighed 33 against 17, it filled me with joy as 33 votes in favour were less than double of 17. As we waited anxiously, the president announced the result. In those days Dr. Evelt, foreign minister of

Australia was the president, and Mr. Trigvyli was the secretary general and Mr. Andrew Cordier was the assistant secretary general for the Assembly Affairs. All there were poring over the result sheet. The president was a staunch votary of the resolution and the secretary general invariably supported the Western Powers. The assistant secretary general, though an American, always had an opinion of his own. Being an assistant to the president and secretary general announcing the names and repeating the answers during the ballot was his duty. (Repeating the answers was a practice adopted to rule out any chance of mistake). All three of them analysed the ballot-sheet time and again to find somehow another ballot in favour. But they were helpless before the arithmetic. The delegates present were 58. Eight abstained. The number voting was 50 out of whom 17 opposed. For approval, the minimum number required was 34. The number being 33, another vote could have come from nowhere. The president announced the result in a sad tone. Clause 3, having been rejected, was excluded from the resolution.

"I am beating the chest of the western powers": An expression of joy from our side was naturally inevitable but after days of tension and anxiety I lost self-control and kept thumping the desk loudly. Col Abdur Rahim came up to say "Chaudhry Sahib what are you doing". I felt embarrassed by my emotional reaction for the president was staring at me in anger. For days together my hands remained swollen because of desk beating.

The fourth clause of the resolution required the "three powers" to try to unify the three parts for a united Libya to be free. When the president called for a vote on this clause, I sought a clarification as to which three countries it referred for only two clauses had been approved and in those two only Britain and France were mentioned: On that the president said that some one, there and then, could propose substitution of "two" for "three". I was about to say something when the representative from Argentina, Dr. Arcy, sought leave to speak and said that ballot on the remaining clauses was unnecessary because since Tripoli was not being placed under the trusteeship of Italy, the Latin

American countries, one and all, would vote against all the other clauses. It was so done and all the remaining clauses also stood rejected. And when the ballot was held on the first two clauses those were also rejected. The Bevin–Sforza Pact, as for as it related to Libya came to a close.

As I returned to Karachi, the Italian ambassador came to see me carrying a special message from his foreign minister. Count Safroza's message said Italy had no regrets on the rejection of the resolution for it desired friendly relations with the Arab states and needed their goodwill. In the forthcoming session, Italy would vote for Libya's immediate independence, his message added.

In the 1949 annual session of the General Assembly a resolution was passed for Libya to be declared independent from first of January 1951. To implement the resolution a committee was formed in which both Egypt and Pakistan were represented. On the first of January 1951, as envisaged in the resolution, the government of independent Libya came into being.

Eritrea's merger in Ethiopia: The question of Eritrea and Italian Somaliland came up soon after Libya. To ascertain the opinion of the Eritreans, a five-member committee was formed with Pakistan as one of its members. Three members of the committee recommended that Eritrea should merge in Ethiopia and two members, Pakistan being one, recommended Eritrea's independence and, if that were not to be, its western part should go to Sudan because the people of both belonged to the same tribe. Mian Ziauddin represented Pakistan on the committee. He performed his duties ably and diligently.

As the issue came up before the General Assembly, Pakistan strongly protested against Eritrea's merger in Ethiopia as a large part of the population was opposed to it. Eritrea is a coastal country with majority Muslim population and educated among the Eritreans speak Arabic. The union was all to the advantage of the Ethiopians and none for Eritrea. The majority in the Assembly was for the union – the chief argument being that Ethiopia needs to be

compensated for the enormous harm it had suffered at the hands of Italy. In our view this argument was devoid of reason for Eritrea could not be punished for the Italian excesses. The proposal for union was, however, approved by the two-third majority. I sounded a stern warning calling the union a 'garland of blades' around Eritrea's neck which one day would result in its incorporation in Ethiopia. And so it happened.

Ethiopia's majority mountainous population is racially Amharic. The coast and the plains are inhabited by Muslims. With Eritrea's accession added to their number, the Muslims now lay claim to majority in Ethiopia but the census figures lack credibility. The fact, however, is that most powers of the government are exercised by the Amharic chiefs. Though the Emperor of Ethiopia is an enlightened and progressive ruler, in internal matters he is largely shackled by the chiefs. At the moment the winds of democracy and self-determination are blowing strong. The African continent, however, has yet to cross a number of hurdles. But the people and tribes of Africa have awakened giving rise to hope that soon the people of every area would get the rights that belong to them.

Somalia's independence: Somalia is a territory of great strategic importance. Because of its geographical shape, it is called the Horn of Africa. The European powers had divided it into three parts – Italian, British and French. Following Italy's defeat in the Second World War, the fate of Italian Somaliland was to be determined by the UN. The Somali public opinion, quite naturally, was for immediate independence. The reins of government, however, were held by the Italians and Italy was keen to retain the trusteeship till Italian Somaliland was ready for independence. Britain had announced that in the event of a trusteeship being created, British Somaliland would also join it so that the British and Italian parts become free as one country. An able and strong Somali delegation was present in the UN to defend the rights of Somalians kept us in picture. The Somalis are all Muslims with close ties with the neighbouring Arab

countries who, one and all, supported their early independence. So did Pakistan. From among the sovereign Arab states, Egypt was in the forefront. Ethiopia, in any case, could not be on the Italian side. Only Liberia remained. Liberia had fully supported Somaliland's struggle for independence. Liberia's able representative, Henry Cooper, was a pillar of strength for us. In support of its contention, Italy sent a so-called Somali delegation of its stooges to appear before the committee but its exertions went in vain. Its efforts were directed only at proving that Somali areas were not yet fit to be free.

***Questions put to the so-called Somali delegation*:** We had come to know from some genuine Somali delegates that the members of the so-called delegation were in fact municipal employees of Mogadishu who felt compelled to praise Italy and appreciate all of its actions. Making use of this information, I questioned them in the following manner.

Q. Did the Italian government, when in power, work for the progress and welfare of your country?

A. Undoubtedly, in every possible manner.

Q. What progress your country had made in that period?

A. The country made a lot of progress in every sphere.

Q. What are the arrangements for the education of the Somalis?

A. Schools, colleges and institutions of all disciplines exist.

Q. What is the educational level of the Somali population?

A. Very high.

Q. What is the ratio of Somali people in the superior government posts?

A. Majority is Somalian.

Q. Do you have superior courts?

A. Of course, we have

Q. What is the number of judges in the highest court of the land?

A. Majority is Somalian

Q. What is the standard of hospitals?

A. Very high

Q. What is the number of Somalis in these hospitals?

A. Majority is Somalian

Q. I am very pleased to hear your answers. As you say, the Italian administration has served your nation well raising it to high standards in every department of life. Now I have only to ask you this much that having made so much progress and holding highest posts in every profession, what deficiency remains that makes you think your country is not yet fit for freedom?

A. We still have no experience of governance.

The story of Somali trusteeship before independence: The answer to the last question exposed the "representative" capacity of the delegation in the course of debate in the Assembly. The Italian foreign minister Count Sforza met me to say that I must have guessed that as yet there was no hope for the independence of Somalia in the foreseeable future. A trusteeship has to be created. He went on: "We are very keen that the trusteeship is given to us. Our sole intention is to prove by our actions that we have finally said good-by to our recent past and are truly interested in the independence of our backward colonies and keen to work for their welfare. We stand to make no material gain from the trusteeship. Instead, to shoulder this responsibility we will have to incur expenditure and procure the services of a large number of experienced people. We have a number of experienced officials who speak Somali language. Thus, we have an edge over every other country. In the Libyan affair we have established our credentials. I hope you will view our interest in this affair with sympathy".

Zafrulla Khan: All I can do is to convey your wish to my government. However, I can imagine Pakistan's stand on this issue would be the same as that of the Arab countries. They are neighbours of Somalia and the

Somali people have a special relationship with Arabs. It would be appropriate for you to talk with the Arab delegates as well.

Count Sforza: I have spoken to some of them. Lebanon's representative, Dr. Charles Malik, has promised to consider my request sympathetically. If you were also to talk to the Arab delegates some agreement could be reached.

I talked to Dr. Charles Malik. He invited me and the Arab delegates to New York's Harvard Club. After deliberations it was decided that the administration of Somalia could possibly be entrusted to Italy and two other countries inducted alongside to oversee the Italian administration. I was advised to talk to Count Sforza to make him agree to this kind of arrangement. After dilly-dallying for a while and convinced that we would not agree to any other proposal, he said he shall have to consult his colleagues in Rome and would let us know the decision in a few days. He himself, he said, was inclined to endorse our plan. After three or four days, Italy's representative informed us of Count Sforza's approval. But as we prepared a draft resolution conforming to the plan and, simultaneously, tried to secure the support of the members of the Assembly, yet another difficulty arose.

The Trusteeship Council of the UN is so constituted that all trustee countries of the concerned territories are represented on it and the Assembly elects an equal number from other member countries. Our proposal was that Somalia's trustee should be responsible for its administration. The trustees who were already members of the council raised a question that if three countries were to be named trustees and three trustees were to be elected to the council, the number of trustees would go up to six but the responsibility for administration would vest only in one, i.e., Italy. Practically, therefore, five new non-trustees will be included in the council. Resultantly, the parity between the members and non-members would be disturbed as the number of non-trustees would exceed the trustees which was not admissible under the rules of the UN.

At last, it was decided that Italy would be the only trustee and the other two countries would oversee the administration and report to the council every year. A resolution conforming to this position was passed and given effect. The Arabs had agreed to it and Somali delegation was also satisfied. Italy discharged its duty honestly and at the appointed time Somalia became independent, took charge of the administration and also obtained the UN membership.

The position of Sudan:In 1942 while on the way to America my plane stopped for a night at Khartoum. From America I went to England and on the way back in March 1943 I stopped over at Khartoum once again for two days. Whatever little I could observe in that short a stay created in me respect and sympathy for the simple, sincere and religious people of Sudan. I had the good fortune of meetings with Al-Syed Abdur Rehman Al-Mehdi and Al-Syed Mir Ghani. When the question of Sudan's independence came up before the UN, I took special interest as foreign minister of Pakistan and also because of my personal inclination. Constitutionally, the status of Sudan as a colony was somewhat different from other colonies. In actual practice, though, the administration was entirely in British hands, historically and constitutionally the authority vested jointly in Britain and Egypt. Connected with Sudan's impending independence was the nature of relationship between Egypt and a free Sudan. At that very time, negotiations were in progress between Egypt and Britain on the evacuation of British troops from Suez. Discussion on these two issues were still at an initial stage when revolution forced King Farouk to abdicate and Egypt became a democracy.

Exchange of views with the Sudanese delegation: The UN General Assembly met in Paris once again in January 1951. I was on extremely cordial terms with the foreign minister of Egypt. During the Assembly session many occasions arose for me to discuss the recall of British troops from Suez with the British foreign secretary, Mr. Eden. Mr. Eden, to an extent, was sympathetic

towards the Egyptian aspirations but did not feel confident about Mr. Churchill fully conceding the demand. I continued discussions with the two delegations from Sudan aiming at unanimity among all Sudanese delegates on full independence from Britain; secondly, make them understand that a relationship of cooperation between Egypt and Sudan was absolutely necessary for the stability and well-being of both; and, thirdly, to give effect to such a relationship the Sudanese should negotiate directly with Egypt.

***Constitutional advice to the Sudanese delegation*:** During the session, the Sudanese delegates often sought clarification of constitutional issues. For instance, they asked me if they were to share the crown and authority with Egypt, would it not inevitably follow that Sudan had become a satellite of Egypt? I explained to them through examples that if the constitution framed after independence were to clearly stipulate that the King of Egypt would also be the King of Sudan, in his capacity as king of Sudan he would be bound to act on the advice of the cabinet of Sudan, such apprehensions should be dispelled. Further, to make the constitution more binding, it could be laid down than on gaming independence Sudan would become a member of the UN and agreement with Egypt should entered in the UN archives. At the same time I counselled them to meet with the Egyptian foreign minister to allay his fears and suspicious. The foreign minister of Egypt told me a number of times that my efforts had cleared the air enough for an early agreement between the two countries.

Recall of British troops from Egypt: After the revolution, Egypt's revolutionary council took charge of both these issues. I made two or three trips to Cairo and London in connection with the recall of the British troops stationed in Egypt. Pakistan had an embassy in Cairo but, at that time, no ambassador. Syed Tayab Hussain, embassy's first secretary, was the charge d' affaires. The members of the revolutionary council reposed full confidence in him and

acknowledged his service with gratitude. Every time they would advise me to appoint him ambassador.

Discussions with the British representatives on troop evacuation were prolonged and whenever interrupted were resumed nowhere else but in the embassy of Pakistan in which Col Jamal Nasser also participated.

In those days Gen Neguib was still head of the state. I had the good fortune of calling on him quite a few times. True to his name he was a very courteous, hospitable and humble man. He always treated me with great affection and kindness. The United States' support to the issue proved very helpful. Mr. Kafri then was the US ambassador in Cairo. On visits to Cairo I would see him and the British ambassador Sir Ralph Stevenson. From Stevenson one could gather only the British viewpoint but Mr. Kafri would survey the situation as a whole. In the 1952 elections as Gen. Eisenhower was elected president and the Republicans gained majority, I was apprehensive that Mr. Kafri, being a Democrat, might be recalled. Though not advisable to interfere in such matters, in a meeting with the Secretary of State at Washington at the beginning of 1953, I expressed my apprehension that the recall of Mr. Kafri from Cairo would, possibly, delay the return of the troops. Mr. Dulles told me till that he had no intention to recall Mr. Kafri from Cairo till the withdrawal of the troops. That assured me a great deal.

A talk with Mr. Churchill on the recall of British troops: All hurdles crossed, I had a meeting with the Mr. Anthony Eden in London. He advised me also to call on Mr. Churchill as he valued my views. A day before my meeting with Mr. Churchill, Gen Sir Brian Robertson, commander of the British forces in Suez, who was then vacationing in Scotland, spoke to me on phone to say that two of us must meet before I see the prime minister. He said he would be arriving in London the following morning and from the station come straight to see me. He said "the issue is important, has entered a critical stage and needs to be handled with utmost care and tact now than ever before". He wanted to

convey to me three things: "First, the prime minister must not know that you and I had discussed the issue; secondly, try to leave an impression on his mind, the best you can, that the Egyptian revolution is a permanent reality and not a temporary surge that would soon subsidie; and, thirdly, assure him that the revolutionary council would fully honour its commitments".

In my meeting with Churchill, I followed Gen. Robertson's advice. He heard me at length and patiently giving me a feeling that he had already made up his mind to endorse the agreement. Were he to be inclined otherwise, he would have expressed his opposition in his traditional, passionate style. Mr. Eden had been sympathetic all along and had worked steadily to bring the prime minister round.

Mr. Eden and Egypt 's control on the Suez Canal: One reason, among others, for Mr. Eden's opposition, indeed hostility, after the Suez canal went under Egypt's control was his frustrated hopes. He expected a friendly relationship to evolve with Egypt after the withdrawal of the British troops. It greatly saddened him when it did not happen the way he had imagined it would. In the eyes of the people and the party the responsibility for recalling the troops from the Suez zone lay on him. Had he not done so, the Egyptian government would not have been able to establish its hegemony over the canal. The people and party felt that by agreeing to withdraw the troops he had damaged the power and prestige of Britain in the Middle East. Resultantly, Egypt had been able to establish exclusive control over the canal.

But the fact of the matter is that Britain's involvement in the two world wars had sapped its strength and, resultantly, had lost its awe in the Middle East to a great extent. The post war events and the wave of freedom that swept across the world had made the exit of the British troops from Egypt inevitable. The issue was amicably resolved only because of Eden's sympathetic attitude. Otherwise a conflict would have ensued to Britain's detriment and the result would not have been any different. The later events bore it out.

In the context of that time, two things deserve special mention. First, the demand for the evacuation of troops was raised by King Farouk's government before the revolution. The revolutionary council could not but press it further because the presence of the British troops was an obstacle to Egypt's full sovereignty. Secondly, decline in Britain's military might had made the commander-in-chief of the forces in Suez, Gen. Robertson, forcefully plead for conciliatory talks avoiding the possibility of a clash - wholly contrary though it was to the military traditions.

The question of Sudan's independence goes to the UN: As the question of Sudan's independence came before the General Assembly, it was decided to form a governor general's consultative council of five members. A Pakistani was to be its chairman, a member each from Egypt and Britain and two from Sudan. The responsibility of the chairman being of great significance, I proposed the appointment of Mr. Ikramullah, a senior and distinguished foreign service officer who was foreign secretary since independence. The member from Egypt was Mr. Mahmud Fawzi who, before the revolution, was permanent representative of his country at the UN. I was on friendly terms with him. He sent a message across to me that he was not fully satisfied with Ikramullah's appointment as the British member of the council, Sir Graffiti Smith, who had been Britain's high commissioner in Pakistan, was a friend of Mr. Ikramullah and might influence his judgment. I tried to assure him that his apprehension was unfounded for Mr. Ikramullah had been on friendly terms with every ambassador. And since he knew Sir Graffiti very well it should be a guarantee that he would not let any improper maneuver succeed. Mr. Fawazi was not satisfied and requested me that Syed Tayyab Hussain, ambassador in Cairo, should also be, alongside, named as member–president of the consultative council. The request surprised me a great deal. As an experienced politician he should have known that to determine the suitability of diplomats is a job of the parent government and interference by foreign government inadvisable.

Mian Ziauddin's appointment as Pakistan's representative: Keeping in view the cordial relations between Pakistan and Egypt and my own friendly terms with Mr. Fawzi, I made an effort to appease him. Had I stuck to Ikramullah's appointment, it wouldn't have been enough for me to have sent across just a message of regrets clarifying that his suspicion had no basis. I went out of the way just to make sure that Sudan's independence is accomplished with full understanding between Pakistan and Egypt. But from my courtesy he seemed to have inferred that in discharging the duty of my office I would agree to act on his advice. In reply to his second message, I told him that though I did not subscribe to his view about Ikramullah I would not insist on his appointment and had instead chosen Mian Ziauddin as member of the consultative council. He was at that time Pakistan's ambassador to Tokyo.

Some time later I happened to go to Cairo and assured the foreign minister that Pakistan was very keen on the independence of Sudan at the earliest and also that Egypt and Sudan should forge friendly ties. With that in view Pakistan's member – president of the council had been instructed that (i) every effort should be made for Sudan's early independence; (ii) Sudan's intelligentsia should be suitably reminded that Sudan and Egypt had common interests and so were most of their values which they must promote; and (iii) It was entirely up to Sudan and Egypt to determine the type of their relationship and would be no concern of the council nor of its president. I requested Mr. Fawzi, that if he ever noticed a departure from these instructions, he should inform me through his ambassador in Karachi for my instant attention. I also offered to visit Cairo whenever need arose.

Mian Ziauddin performed his duties with utmost care. Sudan became independent without a hitch. In the first election the united front won majority giving rise to hope of a constitutional union between Sudan and Egypt. But that was not to be. One of its causes was the removal of Gen Neguib from the office of the president. Neguib's mother was a Sudanese and he was loved and trusted

in Sudan. His removal was highly resented there but the relations between the two countries remained cordial. That was a testimony to the sagacity and farsightedness of the leaders and officials of both countries Egypt and Sudan.

Efforts to bring the issue of independence of Tunisia and Morocco before the UN: In 1951 we made an attempt to bring the issue of Tunisian and Moroccan independence on the agenda of the General Assembly in its meeting at Paris. Our proposal, however, was rejected by three or four votes. It saddened me a great deal that very few among the Latin American states who had the mantra of freedom constantly on their lips supported us.

The US not only voted against us – the speech of its representative lured away quite a few other countries. Enormously pained, I said in my speech: "On the one hand, the charter of the UN imposes on us a responsibility to resolve our disputes peacefully and, on the other, when we seek to resolve a dispute through the UN, placing it even on the agenda is opposed. Could the result of it be any different than to drive the deprived nations to war? Denied sympathy by the UN, if in despair the patriotic people of Tunisia and Morocco were to resort to war innocent blood will spill. The outcome of their struggle, inevitably, would be no other than independence but responsibility for their sufferings, more than others, must lie on America which, though claiming to be the standard-bearer of justice, equality and liberty, its attitude today has given a lie to all such claims".

Opposing our proposal, the foreign minister of France went to the extent of saying that it was regrettable that while the representatives of many countries admired and expressed gratitude for the French hospitality, they voted against France. Such a stupid assertion coming from the French Foreign Minister, Robair Schuman, who was generally considered to be an able and dignified statesman, hurt me immeasurably.

The session was adjourned after the ballot. The state of my mind must have been apparent from my face for as he came out of the hall, the delegate from Nicaragua put his hand on my arm and said: "Zafrulla, today's ballot is not

our defeat but a resounding victory. Remember, this session is being held in Paris. For the Latin American delegates to vote here against France was impossible. Paris is a *qibla* of our wives. How could we cause turmoil in our homes by voting against France? The rejection of your proposal by three votes in Paris means that it will be unanimously carried in the session at New York".

So it indeed happened. Despite opposition by France both items were placed on the agenda of the annual meeting. During the debate the delegates from France would walk out of the hall in protest only to listen to the speeches sitting in other rooms. It was a wish of the Arab countries that, like the issues of Palestine and Libya, Pakistan should also present at full length the cause of the colonized North African countries – Tunisia and Morocco. It was not a difficult task. Libya was more backward than the North African colonies i.e. Tunisia, Morocco and Algeria. Once Libya had won freedom, independence of the other *Maghreb* territories was inevitable. Obstacles could be created in their path to independence but the end was certain.

***Discussions in Paris with Farhat Abbas and other Algerian leaders on the independence of Algeria*:** During the 1951 session, through the good offices of Mohammad Iqbal Shaidai, some Algerian leaders - Farhat Abbas and two or three members of the parliament were among them – met me and said "as you try to get the issues of Tunisia and Morocco's independence on the agenda of the Assembly, why not include Algeria alongside"? I told them:

"The tide of independence of North Africa is a natural phenomenon and must succeed one day. But it has to be borne in mind that the success would come in stages. Among these colonies, Libya was relatively more backward but was last to come under the Western sway. Italy's defeat, however, compelled the Western powers to bring the question of Libya's independence to the UN. Though their aims were less than honourable, but Allah in his mercy made Libya's immediate independence possible. The independence of Tunisia, Morocco and Algeria must necessarily follow".

"The support of the UN for Tunisia and Morocco may present little problem but, apparently, Algeria has a constitutional hurdle to cross. The French intervention was based on agreements. France may contend that its relationship with Tunisia and Morocco, being an internal matter, the UN was not competent to interfere. But this objection in itself in not admissible because the relationship was established through international treaties.

"France even today would be compelled to concede that Tunisia and Morocco are two separate countries and their rulers had assigned some powers to France. The common contention of both countries now is that the treaties under which the powers were transferred to France, having outlived their purpose, are now dead and the French presence in their territories amounted to unnecessary interference and was also inappropriate. Thus, nothing now prevents the UN to deliberate on these issues and provide suitable remedy".

"The problem of Algeria is no different as, like Tunisia and Morocco, it is also about the independence of a country but a constitutional complication created by France makes it appear different. The difference is that France has declared Algeria a province of France though after military conquest it was no better than a colony. On this constitutional hypothesis, it can be contended by France that it is an internal matter and the UN charter bars France from interfering in the Algerian issue.

"Further, French have deep emotional ties with Algeria. They may possibly reconcile to the independence of Tunisia and Morocco but not the separation of Algeria which would be intolerable for them. Therefore, in my opinion, the issue of Algerian independence should not be bracketed with Tunisia and Morocco, in the UN debate. Once the independence of Tunisia and Morocco wins support in the international circles, it would not be difficult to bring up Algeria for discussion with some hope of success. My apprehension however is that the struggle for the independence of Algeria would be longer demanding greater sacrifice.

Independence of Tunisia and Morocco: When the Tunisian issue came up for debate in the General Assembly, Syed Ahmad Shah Bokhari (he was then Pakistan's permanent representative at the UN) was of the opinion that sub-clause 2 of clause 7 of the UN charter necessarily stood in the way. He attached no weight to my argument to the contrary but during the debate no such difficulty arose. That not only satisfied him but won his total support to my viewpoint that the independence of Tunisia and Morocco was an international issue and not of France alone.

On observing that Pakistan was a front-line supporter of Tunisia and Morocco, the French delegation during the debate on Tunisia placed an attractively produced pamphlet on the desk of all members of the Assembly to show through statistical data that Tunisia was way ahead of Pakistan in all departments concerned with the welfare of the people. I hurriedly leafed through the pamphlet before putting it aside. By comparing Tunisia with Pakistan, the pamphlet intended to show that the progress in human welfare had been much faster in Tunisia than in Pakistan only because it was under French suzerainty.

Aga Shahi who was assisting me in the committee picked up the pamphlet and was absorbed in reading it. A little while later he nervously told me that the statistics about Pakistan related to the pre-independence period. Since the pamphlet did not show the significant progress made after independence, he would get down to rebut its contents that very day. "By what time would you need to reply to it", he asked. I replied somewhat indifferently "there is no hurry". Imagining that I had not grasped the importance of the pamphlet, he came back after a while to ask whether he should go to verify the statistics. I told him again in the same indifferent way "not to bother". He could not resist but came up again to suggest that we must prepare a reply. I told him to wait and see. He quietened down but remained restive.

Finally, when it was our turn to reply I said: "As for the pamphlet, I feel sorry that when it comes to the consideration of the real issues, the delegates from France leave the hall without enlightening us about their views. But I am

grateful that today they have somewhat made up for that by circulating this pamphlet among the delegates. May be some among you have not yet analysed its contents enough to draw the right conclusions. I would therefore sum it up for your convenience".

After reading out a summary, I said: "For the sake of argument it may be conceded that in public welfare Tunisia is ahead of Pakistan. But the point at issue is that under an agreement Tunisia had handed over certain subjects to France for improvement. Tunisia now contends that France having achieved the objective, the authority it had assumed should revert to Tunisia. The pamphlet circulated by France provides an evidence that Tunisia has forged even ahead of Pakistan. Conceding that, I have only one question to ask the learned delegate of France: If the reality is as is depicted in the pamphlet, what could be the justification for Pakistan to have won independence five years ago while a more advanced Tunisia is still considered unfit".

In short, neither for Tunisia nor for Morocco, France was able to put forth a plausible reason for denying independence to them. But the French influence in the UN kept this issue in abeyance. A piqued France once exiled the King of Morocco and tried to set up the Pasha of Morocco in his place. The move created such a public outrage that the King returned in triumph and Pasha declared allegiance to him once again and sought his forgiveness on bended knees. The Assembly, failing to find a satisfactory solution, the problem was taken to the Security Council. By then Pakistan had also become its member. There Pakistan's able representative Syed Ahmad Shah Bokhari skilfully supported the cause of the independence of the two countries.

Talks with the French ambassador on Pakistani passport for Al-Syed Ahmad Bala Frij: Al-Syed Ahmad Bala Frij, secretary of Morocco's Istiqlal party, and in the forefront of the freedom of movement, who in course of time had become my fast friend met me in New York. His passport was about to expire and he apprehended that if he were to go to Paris for its renewal or

extension he would surely be locked up and prevented from returning to New York. As he mentioned his problem to me I assured him not to worry as solution would be easy to find. I appointed him honorary adviser to Pakistan's permanent representative at the UN. To enable him to perform his functions, a Pakistan passport was issued to him. A few days after my return to Karachi, the ambassador of France, M. Oej came calling to say that he had been instructed by his government to lodge a protest against the grant of Pakistan passport to Al-Syed Ahmad Bala Frij.

Zafrulla Khan: What you have to say?

M. Oej: I wish to say that this action of yours is violation of your own Nationality Act.

Zafrulla Khan: Well, how is that?

M.Oej: I would like to draw your attention to the relevant clause of the law that requires a stay of five years in Pakistan to get a passport. Leave aside five years, Ahmad Frij has not lived in Pakistan even for five minutes – he has not ever come to Pakistan.

Zafrulla Khan: Mr. Ambassador as far as I can recall the text of the clause carries some exceptions in fine print, you should read that.

M. Oej: Yes, yes it is indeed written that the government is empowered to waive the condition of residence in special circumstances. But where were special circumstances in this case?

Zafrulla Khan: Mr. Ambassador you are not entitled to ask that.

M.Oej: Can't I ask that even in my capacity as a friend?

Zafrulla Khan: First, you should close your protest as a representative of your government. Friendship will come later.

M.Oej: Look, in the sessions of the Security Council Al-Syed Ahmad Bala Frij occupies a chair right behind your permanent representative which our delegates find most distracting. Imagine, what would be your feelings if Sheikh Abdullah were to sit behind

France's permanent representative as his honrary member when the Kashmir issue is being discussed?

Zafrulla Khan: If it were to be so, may be it upsets me more than the presence of Al-Syed Ahmad Bala Frij does your representative but it would still not entitle me to lodge a protest with you.

M.Oej: Not even as a friend?

Zafrulla Khan: Let us now get down to the friendship plane. As a friend, I am prepared to concede that the presence of Al-Syed Ahmad Bala Frij at the session of the council is troublesome for you. I will direct Pakistan's permanent representative not to take him along.

M.Oej: I shall be grateful, and so will be my government if you were to do that. Thanking you, I beg leave.

Zafrulla Khan: Please hold for a while. Al-Syed Ahmad Bala Frij told me at New York that his passport had expired and if he were to go to Paris or Rabat to get it renewed he suspects he will be detained. From our today's conversation I am convinced that his apprehension was well-founded and I did well in giving him a Pakistani passport. Well, good by Mr. Ambassador.

After a rigmarole of debates in the General Assembly and Security Council, the Tunisian and Moroccan disputes climaxed in their independence or, so to say, release from the French paw. In 1951 the sponsors of their independence had not succeeded even in getting the disputes included in the agenda of the General Assembly. Ten years later, in 1961, Syed Monje Salem who was Tunisia's permanent representative and later foreign minister was elected president of the General Assembly.

Independence for Algeria: Algeria had to wage a long struggle for independence and was compelled to take up arms when France could not be persuaded to come round to a peaceable, conciliatory settlement. After the

independence of Tunisia and Morocco, freedom for Algeria had, indeed, become inevitable. It was France's sheer intransigence that drove the Algerian patriots to martyrdom. The freedom fighters of all persuasions launched their campaign with a resolve, courage, determination and perseverance that won tributes the world over. At last out of turmoil, akin to revolution, in France itself Gen Dc Gaulle came into power. In a display both of valour and wisdom he set upon a search to settle the Algerian dispute and despite many internal and external hurdles brought France round to concede Algeria's right to freedom and rid his country of a long-haunting spectre.

The freedom struggle of the four North African countries, through its various phases, had Pakistan's unqualified support and deep sympathy. Not in the UN alone but wherever and howsoever possible, Pakistan gave practical proof of its friendship and brotherhood. The government of France was aware of Pakistan's stand and the steps it took and not let any opportunity pass to bring their struggle to a triumphant end – only to rise in France's estimation.

In October 1951, Sir B.N. Roa, India's permanent representative at the UN, was elected judge of the International Court of Justice. His 9-year term began on February 6, 1952 but it was not yet two years that he died. I was among those nominated to fill the vacancy caused by his death. Pakistan's ambassador in France, Mr. Ikramullah, then called on Mr. Parvedi, Secretary General of the Ministry of External Affairs. When he the ambassador mentioned my name, he said he need say no more as he knew me from the days the Kashmir dispute was debated in the Security Council and he was France's permanent representative. He said: "I can say from personal experience that Zafrulla never says a wrong thing and whatever he says is based on justice. In my view he is most suitable for the judgeship of the World Court", adding that he would convey his government's approval.

During the Algerian struggle for freedom King of Morocco invited Al-Syed Ahmad Ben Bela and his four freedom fighters to discuss the issue in an effort to explore some kind of settlement with France. After discussions at Rabat

all five left by a French plane for Tunis at the invitation of president Habib Bourguiba. Flying over Algeria, the French administrator of Algeria instructed the pilot on wireless to land. As the plane landed, Ben Bella and his companions were detained and later locked up. Learning of this stupid act, President Bourguiba administered a stern warning to France demanding it should be instantly undone.

After a good deal of hassle, it was decided to refer the dispute to three mediators – one each to be nominated by France and Tunisia and the third by mutual consent who would also be chairman of the mediation board. At that time I was a judge of the World Court. Having nominated their own representatives, both agreed to nominate me as third member and chairman of the board. In response to their suggestion. I gladly agreed to accept the assignment if the request were to be routed through the president of the court who, in turn, would consult the other judges. When the ambassadors of France and Tunisia put their request before the president of the court, Mr. Green Hackworth, he asked me whether I was willing to take up the responsibility. I said I had no objection but he may like to consult the other members of the court.

After consultation, the President mentioned the hesitation arising from the fact that it might cause some problem for me if the dispute was ever to come before the court. The judges therefore, would leave the decision to me. I told the president without a second thought that he should inform the parties that I was not prepared to accept the assignment. Though I was unable to render that service, I found it greatly assuring that France and Tunisia both reposed trust in me.

The nation's martyr and Pakistan's first prime minister, Nawabzada Liaquat Ali Khan: The first opportunity for me to get to know Nawabzada Liaquat Ali Khan from close quarters and work with him arose during 1932-38 when he was among my non-official advisers in negotiating the terms of a new trade agreement with Britain. His advice helped me a great deal. His sagacious

approach left a deep imprint on my mind. Later, when he was elected to the central assembly in a by-election on Muslim League ticket, his presence greatly strengthened the Muslim representation. His very first speech in the assembly pointed toward his bright future and earned him appreciation from all quarters. I went up to his seat to congratulate him.

I had the privilege of being Nawabzada's colleague for four years as foreign minister. The security and honour of Pakistan and welfare of its people was the sole aim of his life and he judged everybody by that touchstone. He was serious-minded, worked hard but was never in haste to reach a conclusion. He would delve deep in every aspect of a matter and consult his colleagues before making a decision. I do not recall an instance where my views came in conflict with his in any matter – big or small.

One evening at a reception hosted by him I was talking to a guest standing behind his back while he was engaged in a conversation with the envoy of a big power. I heard him say that the matter was under his consideration – " or as my foreign minister is wont to say, his prime minister is like a post box, you drop a letter and wait, may be it is delayed but you will surely get a reply". Later I told the prime minister that whatever he had told the ambassador attributing to me was, indeed, my remark but how had it reached him. Amused, he said, "it got to me somehow and is, indeed, correct."

***My last meeting with the Martyr of the nation*:** On August 28, 1951, the Prime Minister called me over to discuss Pakistan's representation at the conference being held at San Francisco to mark the peace treaty with Japan. I had proposed that our ambassador in Washington, Mr. Hassan Ispahani, should attend it. He asked me whether I had read the statement of the Indian prime minister on the treaty. On my reply in the affirmative, he told me to attend the conference to endorse the treaty. The conference was to be held at the beginning of September. Bidding farewell to the prime minister, I left on 29th of August. Sadly, that was to be our last meeting.

After the conference, I left for New York to attend the annual session of the UN General Assembly. There early in the morning one day, a press correspondent broke to me the dreadful news that an unknown assailant had shot at the prime minister. He rang again after a while to say that he was dead. My instant reaction was: "This is a dreadful news. The hand that released that bullet has let loose a host of miseries on Pakistan". The events bore out my apprehensions. His death set Pakistan on a fast declining course and today it is hard to count the problems confronting the country.

Governor General's direction for me to retain the portfolio of foreign affairs: Constitutionally, I ceased to be the foreign minister on the death of the prime minister. By the time I returned, Khawaja Nazimuddin had been appointed prime minister and Malik Ghulam Mohammad governor general. Khawaja Nazimuddin wanted me to continue as foreign minister. I thanked him and went back to New York.

Begum Ra'ana Liaquat Ali Khan's appointment as member of Pakistan's delegation to the UN: It would have been hard for anyone to gauge the depth of Begum Ra'ana's grief and pain on the assassination of her husband. During 1952 I could see her sinking into depths of sadness. I sought the permission of the prime minister to persuade her to join Pakistan's delegation to the UN as a member. The prime minister readily agreed and I broached the subject with Begum Sahiba. Her instant reaction was not encouraging. I did not press but mentioned it again to her some days later. She showed some interest but didn't seem inclined to agree. In my third attempt she agreed. Some facilities were provided to her at New York. She performed her duties ably with commitment.

Visits to Turkey, Lebanon and Syria: During the 1951 session of the UN general assembly I received the prime minister's instructions to keep in constant

touch with the governments of Turkey, Lebanon and Syria and organise once-in-a-year meeting of the prime ministers to bridge the gulf created by the Western powers and foster mutual understanding. It wasn't a political scheme nor the formation of a bloc was intended. The idea had my personal support. If the leaders of the four countries were to meet once or twice in a year the results could be encouraging. But my vague apprehension also was that the feuding political leaders, viewing this honest, straightforward proposal as the "first brick" of a conspiracy, may altogether reject it or prevaricate considering it unproductive. On the way back to Karachi I stopped over in Turkey, Lebanon and Syria to sense their reaction to the prime minister's idea. Accompanying me on this trip was Mohammad Asad (formerly Leopold Rice), a member of Pakistan's foreign service who had been named as Pakistan's permanent deputy representative at the UN.

From Paris to Istanbul: Flying form Paris as we landed at Istanbul airport it was the morning-prayer hour. I asked the protocol officer to direct us to the place where we could pray. He took us to a mosque in a nearby village. The mosque, though old, was magnificent and inhabited. The congregation had ended and Imam was making a villager recite the Holy Quran. Mr. Asad and I said our prayer. I was delighted to offer prayers in a beautiful and busy mosque on arrival in Turkey. That feeling only strengthened during our stay in Istanbul dispelling the common impression that the religious values and rituals were on the decline in Turkey since the revolution and Ataturk's reforms. It was wrong and no more than an accusation. In Istanbul I found all mosques full of faithful at prayer time. Later, during my stay in The Hague I saw the Turkish workers travelling long distances to offer Id prayers. I had also seen thousands of pilgrims from Turkey at the Hajj. Their call "Allah Ackbar" sounded sweet – though pronounced differently, perhaps, because of the Latin script. Visits to historic buildings, palaces and monuments proved spiritually elevating. Istanbul has lost the lustre

it had when a seat of the empire. Sadness now lingered everywhere making one sad.

***From Istanbul to Ankara*:** On arrival in Ankara, every possible official courtesy was extended to us. Our stay was arranged in a state guesthouse situated at a vantage point overlooking the best part of Ankara. In snow it looked even prettier. Prime Minister Adnan Menderes received us with great affection. He considered absence of his foreign minister to a Nato meeting as a good augury for two reasons. First, the minister did not know English and we would have been talking to him through an interpreter; secondly, in his absence, we will be talking to the prime minister alone which was his good luck and an honour for him. "I can converse well in English", he said, "and you can talk to me as long as you like and whenever you like freely and without being formal". During our stay in Ankara we met him five times. On every occasion he talked frankly and in a friendly manner with no holds barned. I mentioned to him the proposal of consultations among the prime ministers. He welcomed the idea.

Two other topics I discussed with the prime minister at length were, first, Turkey's preoccupation with Europe alone could not be a source of every strength, it should pay greater attention to Asia, more particularly the Middle East, and also strengthen ties with the neighbouring Muslim countries. Secondly, dispel misunderstanding to enable Turkey to establish close contacts with the Arab countries. The prime minister agreed on both counts. He talked at length on relations with the neighbouring Arab countries commenting on the standpoint of both sides, misunderstandings arising and other connected issues. Toward the end, he said his government was keen on promoting friendly relations with the Arab countries and had made some progress in that direction.

***Visit and prayers at the grave of Hazrat Maulana Jalaluddin Rumi*:** I expressed a desire for homage to Maulana Rumi at his grave. Going by car would take long, better fly, he said. A plane was arranged. We flew to Konia and

fulfilled the life-long desire to pray at his grave. The mayor of Konia invited me to lunch and gave me a manuscript of *Fihe-Mafihe.*

From Ankara we went to Beirut and on to Damascus before returning to Karachi. The foreign ministers in Beirut and Damascus also favourably received the idea of the prime ministers' annual meeting. But at all three places – Ankara, Beirut, Damascus – the reaction was marked by formality signifying no harm if the proposal were to be implemented nor was it expected to yield any positive result. The ambassador reported that Saudi Arabia appreciated the idea, Iraq considered it a useful step while Egypt was of the view that India's inclusion could, possibly, make it more productive. I made a report of my impressions to the prime minister but received no further instructions – and there it rested.

During the 1952 General Assembly session I received invitations from the governments of Egypt and Iraq to stop over at Cairo and Baghdad on the way back to Karachi. I gratefully accepted both invitations. I had been to Cairo a number of times but not Baghdad. With Al-Syed Fazil Jamali, foreign minister of Iraq, I had relationship of trust and he had been suggesting I visit Baghdad for a week or so but I could commit for no more than two days.

***Gen. Neguib's graciousness during stay at Cairo*:** At Cairo airport one is required to wait in the plane for medical checkup. Before the doctor arrived, there was a stir among the passengers. I saw a smart man approaching dressed in a military uniform with a swagger-stick under his arm reverentially followed by foreign minister Mehmoud Fauzi. I could guess that His Exalted Highness, Gen Neguib, president of the revolutionary council, had come to receive me. During my stay in Cairo, Gen Neguib would accompany me to every reception and back. On my protest not to bother, he would only smile to say it was his pleasure. Our terms became quite informal. On one occasion I told him what the British ambassador had to say: "Gen Neguib will not last long as head of government. He is not ruthless enough". In reply he had only this much to say: "If one can get along without beheading people why behead them".

Stay in Baghdad: Flying from Cairo as I landed in Baghdad, ambassador Agha Mustafa handed a telegram to me advising me not to return to Karachi before the second of March. It surprised me a bit. If the instruction were to be to return quickly for I had been away for long, it would have been understandable but to advise that I should extend my stay for at least two more days was incomprehensible. I asked the ambassador to help resolve the riddle. He said he himself wondered and could not guess the reason. I said that the foreign minister of Iraq was keen that I should stay in Baghdad for more than two days but I had agreed to stay no longer than two. Now, may be, making use of the prime minister's direction I make a trip to Najaf Ashraf and Karbala Maulla after staying in Baghdad for two days. The ambassador then told me that he had already notified to the foreign office that at the end of my stay in Baghdad I would be going to Najaf and Karbala.

Exchange of views with prime minister Nuri Al-Said: In Baghdad I had free exchange of views with Al-Syed Nuri Said more than once. At the house of the foreign minister, I also had the privilege of meeting with Mujtihed Al-Asar (jurist of the age) Al-Syed Mohammad Al-Sadar. Besides being a scholar without a peer, he was also the president of the upper house of the Iraqi parliament. He received me with great affection. He spoke as fluently in Persian and Urdu as in Arabic. His mother hailed from Madras.

Homage at the grave of Hazrat Syed Abdul Qadir Jilani: In Najaf and Karbala, I stayed a night with Raja Mahmudabad. It was my first meeting with him. I left him carrying a deep impression of his greatness only to deepen in subsequent meetings. On the way back to Baghdad, a look at the ruins of Babylon served as a grim warning.

***The 1953 riots and martial law*:** Reaching Karachi on March 2, 1953, the puzzle of the prime minister's telegram was resolved. I was invited to speak at the 1952 annual meeting of Karachi's Ahmadiyya community. The topic I selected was "Islam is a living religion". As the date of the meeting approached, some elements raised a voice against the meeting and more particularly against my speech which turned into an organised protest on the day of the meeting. During my speech an attempt was made to disturb the proceedings by catcalls. The speech over, I came back to my house. As for as I could make out there was some unpleasantness but no rioting.

The display of anger and arousing passions at the Ahmadiyya meetings and other activities was not an unusual phenomenon. Whenever it so happened, the reaction of the community was invariably so calm and dignified that the commotion soon subsided. On this particular occasion quite a few elements joined hands to form a front leading to protest at some other places as well. Finally, the front drew up a charter of demands for the government. The demands raised were six but only two were significant.

The first was to declare the Ahmadis a non-Muslim minority; and, second, Zafrulla Khan, being an Ahmadi, should be removed from the foreign ministry. The activity was still on when I left for New York to attend the annual session of the General Assembly. I am not aware of the details of what happened in my absence for the news hardly ever got to New York. On return I learnt the movement had been gathering momentum.

***My offer to resign from the ministry turned down by prime minister Khawaja Nazimuddin*:** Before leaving for America and on return I told Khawaja Nazimuddin that if it helped matters I would resign. He didn't like the idea observing that my resignation would not resolve but aggravate the problem. The conditions weighed heavy on my mind but the holy injunction "stand at the post where God has appointed you" and the innate sense of responsibility stood in the way.

***Direct action by the front*:** When the demands failed to achieve their objective, the front decided on direct action to pressurise the government by taking out processions after the Friday congregations. Most vocal were Lahore and Karachi. The direct action, it was feared, would result in breach of public peace. On how best to handle the situation, the cabinet was divided. Considering the threats and impending danger, the majority was inclined to detain the leaders. But the prime minister and some of his colleagues opposed it as among the leaders of the movement were some ulema whom the prime minister respected a great deal. The divergent views only complicated the situation. The divergence of opinion in the cabinet persuaded the prime minister to send the wireless message (mentioned earlier) which was intended to convey to me that I should not reach Karachi before the day the direct action was to be launched. On reaching Karachi I learnt that to forestall the threat of direct action, the cabinet had gone by the majority opinion. The arrest of ulema caused no anxiety in Karachi but the situation in Lahore went from bad to worse.

***Governor General sticks to principles*:** A day after my arrival in Karachi, Governor General Ghulam Mohammad called me over just when he was preparing to leave for Saudi Arabia on the invitation of His Majesty Sultan Abdul Aziz bin Saud. He said since he would be leaving the next day there wasn't time enough to talk in detail but he had only this much to say to me that he would endure the worst of hardships but would not ever give up on principles. Till then I wasn't fully in picture about the events. I could only guess from what he had to say that the situation was grave. The fast-moving events in Lahore bore it out.

***Views of some ministers on the direct action*:** At that time, Ibrahim Ismail Chundrigar was the governor and Mumtaz Daultana chief minister of Punjab. The cabinet was in session discussing the issue when the Punjab governor rang up to tell the prime minister that the situation in Lahore had turned

grave and the chief minister's advice was to announce the acceptance of the demands of the front forthwith as nothing more could be done to bring the situation under control. The crowds had occupied quite a few public institutions and the governor was certain that his conversation was being tapped and he may no longer be in a position to communicate again with the prime minister. Greatly perturbed by the governor's message, the prime minister asked his colleagues what they wanted him to do. I chose not to comment on the disturbances lest my advice offends a colleague or otherwise caused misunderstanding.

Reacting somewhat excitedly to the prime minister's query, Dr. A.M. Malik and Sardar Bahadur Khan said: "What a government? It is not capable of maintaining even law and order in the country". Chaudhry Mohammad Ali and Ishtiaq Hussain Qureshi expressed similar views and advised firm action. Mian Mushtaq Ahmad Gurmani who was strongly opposed to the "direct action" from the outset gave the same advice. The governor, meanwhile, again called in panic urging an immediate announcement conceding the demands to save half of Lahore from being reduced to ashes. The fact, however, was that the homes and businesses of only Ahmadis had been set on fire.

Cabinet decision on direct action: A feeling grew in the cabinet that if the Punjab governor and the cabinet had thrown their hands up, it would be necessary to ascertain whether the army would be able to bring the situation under control. Iskander Mirza who was defence secretary and present in the cabinet meeting was asked to ascertain on wireless the gravity of the situation from Gen Azam Khan and ask him whether he apprehended any difficulty in controlling it. As Iskander Mirza left the meeting to talk to Gen Azam Khan, prime minister also went out for a few moments while the ministers continued the discussions.

After 15 or so minutes Iskander Mirza came back to report that Gen Azam Khan says that though the situation was the same as stated by the governor if directed, the army could bring it under control within an hour. Iskander Mirza

added that he had told Gen Azam Khan to take whatever action was appropriate. The cabinet felt assured by Iskander Mirza's statement. As the prime minister returned to the meeting Iskander Mirza spoke to him in the same strain.

As foreseen by Gen Azam Khan, the riotous crowd behaviour subsided as soon as the troops entered the city. During this period properties were destroyed and Ahmadis exposed to danger. Two were burnt alive. The community, nevertheless, weathered the crisis with forbearance and steadfastness.

***Advice to strengthen governance*:** The front could not get its demands accepted. Karachi remained peaceful because of the government's timely action. The army had to intervene in Lahore to restore order only because of a dithering provincial government. The agitation by the front, however, irreparably damaged the system of governance. The reputation and awe of the government are the chief pillars of administration. Once weakened or eroded the administration, sooner or later, helplessness manifests itself as the army is called out to maintain law and order. Reliance on army must not be placed time and again. A number of times I advised the cabinet to heed this warning and strengthen the administration for if the army ever were to be called out again it would not be only to tide over a crisis. The reaction of the army commanders necessarily would be that if the civilians were not capable of running the administration and in times of crisis must look up to the armed forces, why not they take up this task in their own hands.

***Governor's conference*:** Disturbed by the events and, perhaps, coaxed by some of his colleagues, the prime minister called a meeting of the governors. Field Marshal Ayub Khan and chief commissioner of Baluchistan, Khan Qurban Ali Khan, were also invited. The Governor General, Malik Ghulam Mohammad then called the prime minister and his cabinet colleagues over to lunch and spoke on these lines: "Gentlemen, I have troubled you to come over today to share

some thoughts with you. First, the cabinet seems to be lacking the unity of purpose and mutual trust without which it is not possible to conduct the affairs of the state in a satisfactory manner. Some from among you have seen me individually to complain about their colleagues and to criticise the manner in which they perform their duties – sometime using harsh words. Secondly, the people are losing faith in the government, one reason being that the ministers are not in touch with the people and do not know their needs and problems."

He went on to give some advice and instructions in particular advising the prime minister to consider changes in the cabinet to bring about greater homogeneity and firmness.

***Total absence of trust between the governor general and the prime minister*:** The prime minister did not at all react to the warning of the governor general suggesting the absence of trust for, by nature, they were poles apart. The prime minister as governor general in his own time had played his part very well. Temperamentally, he was best suited for the constitutional role of the governor general. It was his good luck to have a prime minister in the person of Nawabzada Liaquat Ali Khan, a serious minded, hardworking, sagacious and far-sighted statesman who made every decision after consultation and full deliberation causing no worry to the governor general. He was kept informed of the cabinet decisions and hardly ever felt the need to interfere. Unfortunately, this balance of power was disturbed by Nawabzada's tragic death. The new governor general, Malik Ghulam Mohammad despite frail health and many ailments was always inclined to act. On the other hand, the new prime minister Khawaja Nazimuddin was temperamentally laid-back. Their conflicting natures worked against unanimity. Gradually, the trust was eroded.

Before convening meeting of the governors, the prime minister did not consult the governor general nor even informed him about it. When the governor general came to know of it and the prime minister confirmed it, he said the governor general should have been presiding over the conference of the

governors. The prime minister's reply was that since he had invited the governors for consultation on the national affairs, he necessarily would be presiding over their meeting. Even in that case, the governor general suggested, the appropriate venue for the conference would be the governor general house. He may preside over it but he (governor general) would also be there to remain in picture about the disturbances and consultations.

My impression is that in those very days the governor general had made up his mind to change the cabinet. It is likely that the action of the prime minister in convening the governor's conference without even informing him firmed up his plan. The governor general was visibly upset by the prime minister summoning the governors without even mentioning it to him. The conference lasted three days and a variety of views were expressed. The commander-in-chief minced no words that the government's authority and esteem had fallen very low and concrete action was needed to restore it. Khan Qurban Ali Khan said everybody was beating about the bush, the obvious need was to reconstitute the cabinet. Greatly piqued the prime minister said: "Whose opinion is this? Is it of the government officials? "Khan Qurban Ali retaliated in a similar fashion: "No doubt it is of the officials, but also of the governors, the ministers and of everyone who is present here, you may ask them?" The views were freely expressed but no practical proposal emerged.

***Proposal to hold a cabinet meeting at the governor general house*:** After the Wednesday's conference, as was the routine, when the prime minister came to see the governor general on Friday morning, the governor general desired that a meeting of the cabinet should be held at the governor general house the next day at 10 to consider an important matter that he had in mind. The prime minister said he would be leaving for Hyderabad in connection with the Muslim League elections that every evening to return the next evening. The meeting therefore could be held either the following day or at four in the

afternoon that very day. The governor general said better would be on that very day.

The cabinet was scheduled to meet in the morning. There the prime minister informed the ministers about the afternoon meeting at the governor general house. Sardar Abdur Rab Nishtar sought permission to leave the cabinet meeting early as he was feeling feverish because of the injections for journey to Baghdad for the coronation of the King of Iraq. While permitting him to leave, the prime minister reminded him not to forget to turn up at the governor general's meeting. Sardar Sahib said he would unless the pain aggravated.

Mr. Paul Hoffman, president of the Ford Foundation, then happened to be in Karachi after a visit to Delhi and had called on the governor general. The prime minister thought perhaps he had brought some message which the governor general wished to convey to the cabinet.

***Dismissal of Nazimuddin Cabinet*:** As I arrived at the governor general house at four, the prime minister, Sardar Nishtar and all other ministers were already there. The governor general who hardly ever bothered about his dress, except on ceremonial occasions, came meticulously attired. He sat down and said: "Gentlemen, I have bothered you to come over at this hour to say something very important. You would recall a submission that I made last summer about the people's declining trust in the government and my advice to the prime minister to take necessary steps to bring about unity and cohesion in the cabinet and, with that in view, also make some changes. No heed has been paid to my advice and the conditions have gone from bad to worse. You have, surely, taken note of what was said in the governors' conference. In my opinion the reconstitution of the cabinet is absolutely necessary and can no longer be delayed. Mr. prime minister, I ask for the resignation of your cabinet to enable me to form a new one".

Prime Minister: I see no reason for resignation. A session of the Assembly ended only a few days ago after approving the budget. The

cabinet commands majority in the Assembly. You have the right to dismiss the cabinet. Do you really want to dismiss us?

Governor General: I do not wish to use harsh language. I demand your resignation.

Prime Minister: Andif I were to refuse?

Governor General: Then I shall have to find some other way. Foreign Minister, what you have to say?

Zafrulla Khan: My portfolio is at your disposal.

Governor General: Sardar Abdur Rab Nishtar, what you have to say?

Sardar Nishtar: The prime minister has spoken for the cabinet. It is not necessary to enquire from each minister individually.

Governor General: Well, gentlemen, I dismiss you though feeling sorry about it, good bye.

The governor general left the room and so did all of us. The cabinet meeting had lasted no more than ten minutes. If not for himself, everyone was worried about the country – what next? The prime minister and commerce minister Fazlur Rehman, walking ahead of others, were talking to each other. Sardar Nishtar and I were just behind them and other ministers behind us. As the prime minister arrived in the porch, ADC to the president started calling the cars over as all of us waited in the porch. There I told Sardar Nishtar that if my quitting the cabinet could resolve the cabinet, I had offered to surrender my portfolio. Sardar Sahib said he couldn't make out what was in the governor general's mind. Meanwhile, the cars came up. The prime minister invited the commerce minister to accompany him. He excused himself and said he would instantly follow.

Summons from the Governor General: As I came back to my house, I knelt in prayer beseeching Allah's mercy for the country and its people. The prayer over, I spotted a servant standing in the room to report the arrival of three ministers. I went downstairs to find Chaudhry Mohammad Ali, Mian Mushtaq

Ahmad Gurmani and Sardar Bahadur Khan waiting for me. Chaudhry Mohammad Ali was on phone telling some one at the other end who else were present in the room. Then he turned to us to say that the governor general had called us over.

Formation of the new cabinet: As all four of us went to see the governor general, he told us that he had commissioned Mr. Mohammad Ali Bogra (then ambassador in USA but on a visit to Pakistan) to form the new cabinet and he had invited four of us to join the cabinet.

Meanwhile, the British high commissioner, Sir Gilbert Laithwate, came and the governor general went to the next room to see him. When he came back he said the high commissioner had told him that Khawaja Nazimuddin had called him over to say that the governor general had dismissed his cabinet despite commanding a majority in the legislature. The action being unconstitutional, (the governor general disserved to be removed for violating the constitution. In his capacity as prime minister, he wished his request to be conveyed to Her Majesty the Queen for the removal of the governor general from his office.

The high commissioner said he had told Khawaja Nazimuddin that he was Her Majesty's envoy to Pakistan and since the matter related to Pakistan the right channel for making a representation to the Queen would be Pakistan's high commissioner in London. He had come to inform the governor general of what had transpired in his meeting with the prime minister.

In the meantime, formation of the new cabinet proceeded apace. Dr. A.M. Malik was invited and he, agreed to join the cabinet but first wanted to inform the Khawaja Nazimuddin about with whom he was when he had received the governor general's call. He also wished to talk to some labour leaders to gauge their reaction to the dismissal of the cabinet and assure them on behalf of the new one lest they cause any embarrassment. He left promising to return by eight in the evening.

Mr. A.K. Brohi was also summoned. He said he would come after seeing Khawaja Nazimuddin who had already asked him to come over. When he came, he said Khawaja Nazimuddin wished to know how far the governor general's action was "justified" under the constitution. His response was that under the plane language of the 1935 Act, the governor general had the authority to dismiss the cabinet but if an opinion was required on the precedents relating to interpretation, he would need about 24 hours to study.

Mr. Brohi was invited to join the cabinet to which he readily agreed. Ishtiaq Hussain Qureshi was included again. Khan Abdul Qayum Khan who was on the way to Peshawar after attending the conference was conveyed a message through Gen Azam Khan to talk to the governor general from Lahore on the army line. He was invited to join the cabinet which he accepted and returned to Karachi from Lahore. In short, a new cabinet was formed within four hours of the dismissal of the first. At eight in the evening Mohammad Ali Bogra's cabinet was sworn in.

***An audience with the Shahinshah of Iran*:** On the return journey from New York, I stopped over at Tehran in response to an invitation from the government of Iran and called on the Shahinshah. At that time Aqai Hussain Aala, at one time Iran's ambassador in Washington and an enlightened statesman and an astute politician, was the minister of court. He had always been exceptionally kind to me. He told me that His Majesty had once met me in New York, carried good impression and wished to talk to me alone. Therefore, after introducing me, he would take leave and at lunch, too, there would be no one besides me so that His Majesty and I are able to talk in confidence. My audience with His Majesty started at 12:30 and went of for two hours. He talked freely. Dr. Musaddaq was then facing trial in a military court. Referring to that His Majesty said that every day he sent a note to the presiding officer of the court to convey that personally he had no charge against Dr. Musaddaq. Any point pertaining to his person narrated before the court, therefore, should be ignored.

Whatever the topic, my conversation with His Majesty was most enjoyable.

***Journey to Ispahan and Shiraz*:** I was keen to visit Shiraz and Ispahan. As it was extremely cold and snowing, the government offered to provide a plane. However, I preferred to travel by car to see places on the way. Mian Nasim Hussain and Abdul Hamid Irfani accompanied me. Aqai Sehrai from the foreign ministry was also with us. The journey was most interesting. The road up to Qum was in good condition. Beyond that, though metalled, because of snow or loose pebbles, driving had to be cautious. We had a glimpse of Iran's rural culture in the tea houses along the way.

***Ispahan*:** Ispahan city has no peer – it is the only one of its kind. There is nothing particularly striking about the palaces though Chehel Satoon (Forty Pillars) is worth seeing and there is no other mosque like the "Mosque of the Ladies". The town's central square has the same importance as St. Mark has in Venice. The bazaar is fascinating and the two-storeyed Zinda Rod Bridge is a historical monument.

Parsgar – tomb of Shah Khoris: From Ispahan to Shiraz the weather was pleasant. Aqai Hamid Irfani is a primary dictionary on the history and culture of Iran. As the car sped along, Irfani flew faster at the seventh heaven of "Iranianism". I asked him whether he knew where Shah Khoris's tomb was. He sat up and pointing to the right said "it is here somewhere, would you like to see it"? For a moment I thought either he had lost his sense or was a great magician. No sooner I asked, he had that historic monument standing to the left of our car. As the car was moving fast, I hastily said "I want to see it, for sure". He took the car back about two furlongs and asked us to get down, we obeyed but no monument, not even its ruins, was in sight. Only to be seen was a small board

tied to a staff at the head of a narrow path issuing forth from the road. "Here it is", he said. Seeing me puzzled, he explained it was "Parsgar".

Finally, Irfani resolved the riddle: Parsgar was the name of Shah Khoris's tomb situated two miles away from the road. He asked me whether I would still like to go. "Surely", I said, "on foot, if the car cannot go". The car could go, he said, if a rivulet on the way is not in spate. If it is leave the car there and walk three-quarters of a mile to the tomb.

That left me wondering how a humble board at the head of a narrow path that ends at a rivulet should be identifying the grave of the founder of one of the greatest ever empires of the world and most famous of conquerors. It took a few minutes to reach the three-foot high wall of the tomb. The courtyard was desolate and the two-storey structure crumbling. There was no custodian nor a guard. Holding on to shaky bricks and rocks, I climbed up to the upper storey, no less desolate, no replica of the grave but a hive of wasps. I raised my hands in prayer without entering the hall and then climbed down once again, holding on to bricks and rocks, to join my companions. It was the tomb of the same Shah Khoris who is referred to as Zulqarnain in the last *ruku* of the Holy Quran's *Kahf* chapter. On the way back our car hit a rock. We had to take off our shoes and tuck up trousers to wade through the stream to the other bank. The peasants came round once again to pull it out and we headed for our destination.

***Takhte (throne of) Jamshid*:** Shiraz was yet an hour away when at the bend of a mountain and as if from nowhere sprang up tall pillars supporting the remnants of once magnificent buildings. It was a fascinating sight suggesting it was once the seat of a mighty ancient empire. Irfani told us it was the very plane the ancient world called Takhte Jamshid.

The kingdom of Shah Khoris extended from Iran to the Black Sea to Dardanelles, Mediterranean and Egypt. His son carried it even beyond that. Returning from a campaign he fell from his stumbling horse on to his own dagger and died. He had no issue. The dynasty of his cousin held sway over the area for

generations. Takhte Jamshid was one of their landmarks. The last of the rulers was Dara whom Alexander the Great defeated to put an end to the dynasty. It is said that Alexander tried to destroy the Takht by setting it on fire. Even if that were to be true, he did not succeed. The ruins of Takhte Jamshid to this day after 2300 years remind the world of the glory of Shah Khoris and his descendants. We spent two to three hours going round the site. The officer of Iran's department of antiquities incharge of Takhte Jamshid being a close friend of Irfani provided a lot of information. The regret was that at a place like Takhte Jamshid we had but a few hours to spend. To see it at least three days were needed. Woefully, I could not spare that much time.

Shiraz: Leaving Takhte Jamshid the very thought of going to Shiraz touched the chords of emotions deep down – Sa'adi and Hafiz, Rukunabad and Gulgashtemusalla –rose to my lips.

خوشا شیراز و وضع بے مثالش
خدا وند انگہ دار از زوالش

[Shiraz has no rival in elegance, O my Lord save it from decay]

As we entered the town, Irfani pointed out that the small lake to the right was Rukunabad. The imagination received a jolt but I did not let reality swamp the imagination and retained the same picture of Rukunabad in mind as it had been for forty-five years. The tombs of Sa'adi and Hafiz are built in a contemporary but attractive design set in green orchards. The town is clean and tidy and the climate year-round is temperate. It saddened me to leave a stately Shiraz after a two-night stay.

Shah Hussain and invitation from his government to visit Jordan: In Tehran the Jordanian ambassador came to invite me to Amman. I had to regret for I was getting late in getting back to Karachi. He came back the next day to

convey a personal message of His Majesty the King and his keen desire that I must visit Amman. Left with no option but to comply, I agreed.

Tehran airport then had but rudimentary facilities. Night landing and take-off were not advisable. There was no eastward flight, planes coming from the west would go back after a brief halt. It was snowing heavily on the day I left for Damascus. The plane could not land there because of fog and, was diverted to Beirut.

The next day I was on the way to Amman by road accompanied by ambassador Mahmud Hassan. We were put up in "Philadelphia Hotel." I asked the ambassador whether it was named under American influence. To the contrary, he explained, Amman is the original Philadelphia. It was the Americans who had borrowed the name and pointed toward the remnants of an old Roman theater right in front of the hotel.

An audience with King Hussain: His Majesty Hussain bin Talal bin Abdullah received me with great courtesy and said: "We feel deeply indebted to you for defending our rights with exemplary wisdom and courage in the debate on the Palestine problem from the very beginning. In more recent times when the Israelis intruded into our territory to destroy the village of Qabiba in utter brutality and callousness, you personally appeared before the Security Council to expose Israel's hypocrisy and wickedness".

I submitted to His Majesty: "Pakistan considers the problem of Palestine as its own and of the whole Muslim world. It is our duty to render whatever help or service lies in our power. So, when the question of Israel's incursion into Qabiba came up before the Security Council, Pakistan fet duty bound to support the cause of truth and justice. No doubt, ordinarily it is the permanent representative of a member country who speaks in the council. But the real, and final, spokesman of a country is the foreign minister. Therefore, considering the importance of the issue, I thought it appropriate to present Pakistan's viewpoint personally".

I had three meetings with His Majesty. Every time he greeted me with immense affection. In one meeting when I was with him alone, we talked freely and informally for more-than an hour about various issues facing the Arabs and the Muslim world. The following day a number of ministers, ambassadors and other dignitaries were invited to dinner. After the dinner, His Majesty out of his unbounded affection conferred on me Jordan's highest award the "Star of Jordan". The ambassador was also similarly honoured.

***Journey to Quds*:** Accompanied by the minister for protocol I went by air to Quds (Jerusalem) and thus had the privilege to see the Aqsa mosque and other holy places and also the spot where Jesus Christ was hanged and the sepulchre beneath – so is said about the place, only Allah knoweth the best. At Omar's mosque I kneeled in prayer at the very spot where Hazrat Omar, the second caliph, had prayed. The mayor of Jerusalem invited us to lunch and presented to me a beautifully produced copy of the Holy Quran printed in Egypt. The afternoon was spent at the ruins of the ancient Roman city of Jarsh some 40 miles from Amman.

His Majesty bade farewell to me in utmost cordiality and made me promise that I would keep visiting him. Later, when I went to call on him at London he said I had not kept my promise. I submitted "here I am": "It is a meeting in a foreign country, the promise will be fulfilled only when you come to my home", he said. At that time I was a judge of the International Court of Justice.

***Second audience with King Hussain in Jordan*:** Dr. Waqar Ahmad Hamdani, Pakistan's ambassador at Damascus, was with me in Amman. Because of some misunderstanding between Syria and Jordan, he was also Jordan's charge d' affaires in Damascus. The protocol department served tea as we entered the Jordanian territory. A young press correspondent was also present there. He asked me the purpose of my visit to Jordan. It was to see a friend, I

replied. He asked me whether there would be an opportunity for me to see His Majesty the King. I told him "the name of my friend is Hussain bin Talal, incidentally, he is also the king of Jordan but my purpose is to see a friend – that comes before the king". That young man just stared at me. I repeated this conversation before His Majesty to his great amusement.

Excursion to Petra: This time round I expressed a wish to see Petra. His Majesty's personal plane took me there. The king said he would have accompanied me but for the visit of the younger brother and heir-apparent of the Sheikh of Kuwait. Petra is a wonder of wonders and a glorious illustration of the Quranic verse:

وَتَنْحِتُونَ مِنَ ٱلْجِبَالِ بُيُوتًا فَٰرِهِينَ ﴿١٤٩﴾

سُورَةُ الشُّعَرَاءِ

[And you hew out houses in the mountains with great skill]

From Moen a road leads to Petra passing through Wadie Musa (Moses's Valley). From a mountain in this valley flows a spring which, tradition holds, is the spring that had issued forth in obedience to the direction mentioned in the Holy Quran:

ٱضْرِب بِّعَصَاكَ ٱلْحَجَرَ

[Strike the rock with your rod]

At the mouth of Petra is a three-storey building hewn out of a mountain rock. That is Petra's custom house where every trading caravan must stop to pay octori. Leaving the custom house to the left, we entered a vast plane skirted by mountains like a parapet wall. There is also a chain of mounds in the middle of the plane that make one feel as if those were the ruins of the buildings over which dirt had been settling. The structures hewn out of the skirting mountains, however, are still intact. We went inside some buildings only to be struck by the

craftsmanship. The rock of the mountain is red in colour with a variety of colourful strains running through. The roof of the main hall of the palace of justice, also hewn out of rock, looks like a just-finished multi-colour patterned carpet. To see the wonders of Petra in full needs a few days. In the middle of the plane stands a hotel in which the guests have to put up in tents. The far-sighted among them can learn a lesson from

عَـٰقِبَةُ ٱلْمُكَـذِّبِينَ

[The nemesis of the liars].

Coming out of the Petra Valley, we had lunch with a detachment of army officers to enjoy their extraordinary hospitality in a wilderness for which I remain grateful.

My last meeting with His Majesty Hussain bin Talal took place in June 1967 in London after the horrific happenings of that year. Our conversation quite naturally centered around the tragedy of the Middle East.

God protects me in a serious train accident: As I returned from my travels to Damascus, Tehran and Jordan towards the end of 1953, I was required to go to Lahore. On the return journey, my saloon was attached to a mail train. As I arrived at the platform, the assistant station master came up to me to say that my saloon being at the tail-end, I would feel more than usual jolts and, if I so preferred, he would bring it up to middle of the train which most ministers prefer. Thanking him, I said since the change might delay the departure he should let the saloon remain where it was as for my own little comfort I would not like to put the other passengers to inconvenience. As the train moved, I felt a severe jolt causing me some anxiety and again when the train moved out of the Cantt station.

As the train stopped at Raiwind, I came out and saw the guard (his cabin was just ahead of mine) with his green flag. I told him that both departures were

so excessively faulty that some passengers might have fallen down and hurt. May be it was due to driver's carelessness and, if he considered it proper, he should bring it to his notice. That said, I went to sleep at my own (early) time.

As I stood up to say my morning prayers, the train was running at full speed. Fearing a fall, by jolt, I decided to pray sitting. It is my wont to recite Holy Quran's Ikhlas chapter in the second *rakat.* I had said but the first word *Qul* (say) when in a severe stunning blow I fell to the floor hurting my left elbow. The train stopped and I rose up to resume my prayer from the point it was interrupted *Howalho Aahad* (He is Allah, the One) As I finished praying.

I heard some noise but lied down. Just then my attendant banged at the door shouting that the train was on fire and I should come out. I asked him whether it was our saloon on fire or the whole train. It was the whole train, he said. As I stepped out after dressing up, I saw hell let loose, passengers in distress and wind whipping up the flames to the rear of the train. Meanwhile, the guard was seen giving instructions for detaching the last two or three bogeys, including mine, from the burning train. Extremely unlucky were the bogeys immediately behind the engine. One out of those was of women and children whose male relatives, if they were in bogeys farther from the engine, escaped death but their wives and children were burnt to ashes. It was only Allah's mercy that saved some, no other device could have:

لَا عَاصِمَ ٱلْيَوْمَ مِنْ أَمْرِ ٱللَّهِ إِلَّا مَن رَّحِمَ

[There is no shelter for anyone this day from the decree of Allah excepting those whom He shows mercy]

At daybreak, the three separated bogeys were pushed to Jhimpir Station. Some passengers came there walking, some leaning on others. Those who had suffered injuries or burns were somehow brought to the small station that had no facility for rest much less binding the wounds. Whatever little there was to eat hardly sufficed for the infants and ageing. There was no habitation near the

station, even the nearest road was eight miles away and the intervening area was all sand dunes. It took hours for the doctors and medicines to arrive. Those coming by cars from Karachi had hard time walking from the road to the rail track. Many other tried to reach their near and dear ones by telegram.

I waited for the arrangements to be made by the railways to convey the passengers to Karachi which I could also avail. But early in the afternoon Syed Shujat Ali Hasni, Sheikh Ijaz Ahmad and Chaudhry Bashir Ahmad reached there by car – may Allah reward them – and I got to Karachi with them. All praise belongs to Allah. There is not the slightest room for doubt that, as Ahmadiyya Imam had seen in his dream, Allah Almighty spared my life and protected me against harm in the accident. Though in the dream, a plane was seen falling in an island, every dream, to an extent, is subject to interpretation. All the other ingredients of the dream were explicit. Though the means of conveyance was the train, the hazard was fire.

How the accident occurred: At the site of the accident the train was moving from east to west. According to the driver, Ghulam Mohammad, the train was running at its usual speed and as the engine negotiated a turning, he saw a heap on the track. He hurriedly applied brakes but the engine ran into the mound, went off the track and rolled down. He crept out of the wreckage to find the train on fire.

The later investigations revealed that the iron bracings of the last wagon of an oil-train heading for Hyderabad had loosened. So long as the train ran on a straight track, it dragged along but as the train went on a curve, the bracing got entangled with the track. Because of the pull of the engine and grip of the track the wagon fell on the parallel track on which a mail train was coming from Hyderabad. The drag caused by the fallen wagon brought the train to a halt. After a few moments engine of the mail train collided with the fallen wagon. As a result, the mail train engine got derailed, the oil wagon was smashed and oil caught fire. As the ill-luck would have it, a fast wind was blowing from the side

of the oil wagons toward the mail train. The heat sparked the leaking oil inflaming one wagon after another. The oil leaking out of the wagons flowed along the track and the flames in no time engulfed a large part of the train. Irresistibly, a quatrain of Baba Tahir Irani came to my mind:

شبِ تاریک وسنگستان ومن مست
قدح از دستِ من افتاد نشکست!
نگاه دار نداه‌ش نیکو نگهداشت
وگرنه صدقدح نفتاده بشکست!!

[Inebriated in a pitch-dark rocky desert
My cup fell from my hand but did not break
Such was the magnificent care of the Custodian of my cup
While hundreds of other cups broke without falling].

***Resignation from the ministry of foreign affairs*:** Sir B.N. Rao, a former judge of the Calcutta high court who for a time had been prime minister of Kashmir, was elected to the International Court of Justice in October 1951. His term started on February 6, 1952 and he died in November 1953.

On return to Karachi from the annual session of the General Assembly in January 1954, I learnt that the UN Secretary General had called for suitable nominations for election against the vacancy caused by his death. I requested the prime minister to send my name, if he felt so inclined. He said I was needed at my present assignment and he would loath see me go.

In February 1954, Mian Mumtaz Mohammad Khan Daultana and Sardar Shaukat Hayat Khan demanded of the prime minister to remove me and the interior minister, Mian Mushtaq Ahmad Khan Gurmani, from the cabinet. The prime minister, assuming that the demand was not made seriously, gave no importance to it. But when both gentlemen pursued it and it was also talked

about in the Muslim League parliamentary party, the prime minister invited them to a dinner to discuss it. Finding them unwilling to give up the demand, he asked them if he did not find it advisable to relieve both at the same time whom would they like to go first. Sardar Shaukat Hayat Khan said in such a situation the foreign minister should be the first to go. Mian Mumtaz Daultana was of the view that it should be the interior minister.

They explained that an effort had been made to bring about a consensus on this demand in the parliamentary party but the members from East Pakistan had no complaint against the foreign minister whom they had always found sympathetic as far as the interests of their province were concerned. But if they wanted their support for the removal of the foreign minister, they would go along only if the interior minister were also to be removed. Therefore, if the foreign minister was removed first, their colleagues from East Pakistan might allege that having used their endorsement for the removal of the foreign minister they did not press for the removal of the interior minister and, thus, would question our motives and feel cheated.

When the prime minister placed this dilemma before the cabinet, the finance minister, Chaudhry Mohammad Ali, observed that the issue should be settled on principles and not expediency. He suggested that the prime minister should tell Shaukat Hayat and Daultana that having considered their demand and spoken to his cabinet colleagues he had come to the conclusion that the ministers, whose removal they demanded enjoyed the confidence of their colleagues and the cabinet was not inclined to agree to their demand. Nevertheless, if they persist they may take the issue to the parliamentary party where the cabinet ministers would oppose it and, at the same time, make it plane that if the majority in the party favoured the demand, it would be viewed as lack of trust in the cabinet and the whole lot would resign. In such an event, the party would be able to form a cabinet of its choice serving the intended purpose. All members of the cabinet supported the proposal. I imagine the prime minister must have

accordingly informed Daultana and Shaukat Hayat as demand was not heard of again.

Though, outwardly, the issue was closed, it left an imprint on my mind. Before the cabinet meeting started on April 10, I sought prime minister's permission to make a personal request. Permission given I spoke to him on the following lines:

"The tumult in a part of west Pakistan though unfortunate and worrisome, as far as I can see, my continuing as foreign minister had caused no problem for Pakistan in other countries. One reason for it could be that the ambassadors posted in Pakistan may have told their governments that the voice raised against the foreign minister was by some minority elements of West Pakistan for political reasons while others joined them because of differences in matters of faith. The position of the foreign minister had, thus, suffered no setback. Even at that time I had requested Khawaja Nazimuddin that if my resignation could solve his problem I was ready to resign. However, he did not agree.

The situation that arose in the recent part was purely political. That a group in the parliamentary party demands my resignation, foreign embassies know well. During the disturbances of last year, no foreign envoy had given expression to a kind of feeling as they do now. Some among them now tell me 'stand firm, do not give in while' some others say 'hopefully you wouldn't resign for it would harm Pakistan'. That makes me believe that in the estimation of the diplomats my position had weakened and I may have to quit. If they have conveyed the same impression to their governments, it can do Pakistan harm. The fact is that I have been working as foreign minister for the last six and a half years. It would be advisable now to place these responsibilities on stronger shoulders. Considering this and all other related considerations, I have come to the conclusion that the interest of Pakistan demands that I must leave the ministry of foreign affairs. I am sure I enjoy the trust of the prime minister and of my colleagues. For that I am grateful. The decision is entirely my own. I have spoken to no one nor consulted anyone before entering this room today. I seek

prime minister's permission to lay down the charge before the 30th of June. That should give him enough time to think of the changes in the cabinet in consequence to my departure".

My colleagues, one and all, expressed sorrow. The prime minister even hoped of change in my decision. Chaudhry Mohammad Ali who was sitting next to me then said "what a pity your name was not sent for the judgeship of the World Court in January". I told him not to worry:

ان اللہ ھو الرزاق ذو القوۃ المتین۔

[Veryily Allah is the Sustainer and all power flows from Him].

***Visit to America at the instance of prime minister for talks with the World Court*:** At the end of May 1954, a difference of opinion with the World Bank on the distribution of Indus Valley waters came up before the cabinet. The emerging view was that I should go to Washington to discuss it with the Bank President Eugene Black and others concerned in an attempt to find a solution conforming to Pakistan's stand. However, I was hesitant. The prime minister took me to his room to enquire as to why for everyone knew of my cordial relations with the bank president and he also respected me. My talks with him therefore would be useful for the country.

The cause of my hesitation, I submitted to him, "was my impending departure from the cabinet. Though I had not talked about it to anyone, my resignation has been discussed in the cabinet and the American ambassador must have also come to know of it and must have informed the state department. From there the news must have travelled to the World Bank. It is true that I am on friendly terms with the bank officials and, perhaps, I could bring them round to see the legality and justification of Pakistan's standpoint. But if a complication arises compelling me to take a firm stand as a representative of the government, the chuckling bank officials knowing that I would be leaving by the end of June and also the reason of leaving could be evasive or prolong the issue. In such a

situation my going to Washington would weaken rather than strengthen Pakistan's case."

The prime minister said though it would be hard to predict the trend of discussions there, it would still be appropriate for me to go because only I was well acquainted with the case and had been all along representing Pakistan. He said it was his personal desire that I must go. Having explained the grounds of my hesitation, I said since it was a direction of the prime minister as a minister of his cabinet I was duty bound to comply. "Good, you must leave soonest possible, how long will you take", the prime minister asked. "Tomorrow", I replied. The required papers were given to me and I left the following day.

Complication straightened-out: As soon as I arrived in New York, Syed Amjad Ali, Pakistan's ambassador, rang up to say I should go over to Washington for the offices in New York were closed at the week-end. I told him that because of a hurried departure from Karachi, I shall have to shut myself up in the hotel room to unbind and study the heap of papers that I had brought from Karachi. Only after that I would go over to consult him and others in the embassy. He said I might as well study the papers in Washington. I could, I said, "but the difficulty is that President Black's house was right opposite your house and if he happens to see me, takes me to his house and broaches the water issue and I am not aware of the details of the dispute, it would be embarrassing for me." In that case, he said, I must get there by Monday evening to attend dinner he was hosting for chief justice and Mrs. Warren. Both were so keen to meet me, ha said, he said, as they hadn't ever met me. Besides, speaker Martin of the House of Representatives, Mrs. Martin and Col Bywood, assistant secretary of state would also be there, so I shouldn't be late. I was there on time. The chief justice and his wife met me most cordially. The next day I had a meeting with Mr. Eugene Black and other concerned officials. The complication that had arisen was resolved.

Nomination at the International Court of Justice: Meanwhile, it transpired that my name figured in the nominations made by various countries to fill the vacancy caused by the death of Sir B.N. Rao. India had nominated Justice Paul. I requested Syed Amjad Ali to try to find out as to who among the member countries were committed to support India's candidate. It took him only a few days to ascertain that five members were committed and six were not. On reaching Karachi I bought this position to the notice of the prime minister. He said it was a good development and he hoped I wouldn't insist on quitting the cabinet on 30th of June 1954 and stay on till election to the court.

Representing Pakistan in SEATO Conference:A Seato meeting was held at Manila in September 1954. Aga Hilaly and Rashid Ibrahim were our representatives in the working party of the conference. Both of them and their staff worked hard and prudently to get all such matters included in the agenda of the conference in which Pakistan had some interest – but one on which Pakistan was keenest was left out. That was "if a member-country is subjected to aggression, it would be incumbent on every other member to come to its aid and stand alongside in repelling the aggression".

In the draft agreement 'aggression' was defined in two ways. One, in which the aggressor is a communist country and, second, by any other country. In the first case, all the member-countries were required to fight back the aggressor without any condition whatever. In the latter case, the member-countries were required to get together quickly to assess the situation and decide by mutual consultation what needs to be done to defend the country subjected to aggression.

Pakistan's standpoint was that aggression by a communist power or a non-communist power should be treated on the same footing. On this point I had long discussions with John Foster Dulles, American secretary of state. His contention was that under the constitution, the US president was not empowered to enter into such an agreement without the approval of the senate. In the event

of aggression by a communist country since the senate had already so empowered the president, such a responsibility could be assumed straightway. In the case of aggression by a non-communist country, the responsibility had to be confined to mutual consultation and consent of the senate obtained to the agreed measures.

I told Mr. Dulles that since it was not a satisfactory arrangement for Pakistan, I could not sign it but leave it to the government of Pakistan to decide whether it wished to join the treaty or not. Since Pakistan had been a full participant in the deliberations all along and its viewpoint was conceded in all other matters and there was no time to consult the government before the last round of the conference in which the treaty was to be signed, I undertook no more than to send the draft of the treaty to the government of Pakistan to decide whether to join or not to join the treaty keeping in view its constitutional compulsions. To emphasise this position I made the following note on the draft:

"Signed for the purpose of transmission to the government of Pakistan for it to take a decision in accordance with its constitutional procedure."

At the same time I dispatched a detailed report to the prime minister. At the end of the conference I left for New York via Hong Kong, Tokyo and San Francisco to participate in the annual meeting of the UN General Assembly. I heard later that when the question of joining the Seato came up before the cabinet, the opinions varied widely. After much argument, however, the decision went in favour of joining the organisation.

My election to the International Court of Justice: The election for the judgeship of the International Court of Justice took place on October 7, 1954. To win six votes of the security council and 33 of the assembly were required. Out of the six members of the security council who were not committed to vote for India till the beginning of June five promised to vote for me but Brazil hesitated to the very last. Brazil was of the view that the vacancy caused by the death of a judge should be filled from the country to which he belonged. Pursuing that

principle, it voted for Justice Paul. I had instructed all of our embassies in no circumstance to persuade any of the countries who were committed to vote for India to retract from that commitment.

With Turkey we had a relationship of close friendship and I, too, was on very friendly terms with Turkey's permanent representative at the UN, Mr. Salim Sarper. Turkey was among the six members of the security council who were committed to vote for India. We, therefore, did not approach him. When Mr. Salim Sarper came to know of my candidature he wrote to his foreign ministry that when Turkey had committed to vote for Mr. Paul it was not aware who others would be competing against him. Now that Zafrulla Khan had been nominated in every respect he is far more suitable than Mr. Paul. Turkey therefore would vote for him.

It was so decided by the Turkish government and informed India of its decision well ahead of the election. Pakistan, thus, won the majority vote in the council. In the general assembly ballot, 33 votes were cast in my favour and 29 for Mr. Paul. Thus, I was elected. Prime Minister Bogra was then on a visit to the US. On hearing of the result of the election, he insisted that I should stay on in New York till the end of the assembly session to unofficially guide the members of the Pakistan delegation.

My submission to him was that it would be personally inconvenient for me as I was required to vacate my house in Karachi without delay and since my wife was in Lahore, the household goods shall have to be left to the care of servants. He said that should no pose no problem, he would issue instructions that till my return I should be allowed to keep the house.

He issued instructions but an objection was raised that since I was no longer on the payroll of the government I wasn't entitled to retain the house. Since the objection was valid, the house had to be immediately vacated. But in the process I lost quite of few of my belongings – some precious in value and others more so in sentiments – were lost – never to be found:

ایں ہم اندر عاشقی بالائے غم ہائے دگر

[Here is yet another addition to the worries of love]

As the Assembly session ended, I returned to Karachi and left for The Hague in the closing days of January 1955.

Membership of the World Court: The working year of the World Court begins on the sixth of February as it was on that day that the court had held its first session. The number of judges is 15 – every three years five out of the lot retire and their replacements are elected by the UN. As the new judges join, the full court elects president and vice president – each for three years. The 15 judges belonged to the following countries: USA, Britain, France, Soviet Union, China, Canada Pakistan, Egypt, Norway, Poland, Yugoslavia, Argentina, Mexico, Euroguy, El-salvador: Judge Macworth from the US was elected president and Judge Abdul Hamid Badvi Pasha vice president. I had met Mr. Badvi at Cairo in 1945 when he was foreign minister of Egypt. So long as he remained a judge both he and his wife treated me with great affection. I had met judge from Britain, Lattor Pofett, in 1948 during a session of the general assembly at Paris. The issue of Hyderabad state was then before the security council and he was legal adviser of the state.

I also had known judge Redd before hand. In October 1954, after election to the court, I went to Montreal twice on two speaking assignments in November of that year. One of my speeches was at the Empire Parliamentary Association over which Judge Redd presided. Introducing me he said: "I have been closely following the career of today's speaker. Of his many qualities, the one that struck me most is his integrity". He was being kind. I had gone to Canada on his invitation. At his home I was also introduced to Mrs. Redd. Judge Redd gave me a number of useful tips about the court. In my remaining three-year term I learnt a great deal from him. He retired from the court 14 years

ago. Both he and his wife, by the grace of God, are in good health and we occasionally correspond with each other.

I had not known the other judges or the court officials before hand. To work and settle down at a new, unfamiliar place presented quite a few problems but were soon resolved. I remained a judge of the court for six years. Some of the disputes that came up before the court in this period may be of some interest to the readers.

***Issues relating to South–West Africa's mandate*:** After the First World War, the League of Nations was formed. One among the issues it was called upon to tackle was the future of the colonies of the vanquished powers – Germany and Turkey. Among them was the German colony of South-West Africa. For all such colonies, the League of Nations introduced a system of "mandates". Under this system the administration of South-West Africa was entrusted to South Africa. Compliance with the provisions of the mandate was the responsibility of the League of Nations. Only its unanimous decisions were enforceable. Since South Africa was also a member of the League, practically no direction relating to South-West Africa could be issued which South Africa did not approve of.

After the Second World War, the League of Nations was superseded by the United Nations. To prepare the colonies for self-determination was made a responsibility of UNO's Trusteeship Council. Most mandated territories, meanwhile, had gained independence and became members of the UN. The administering powers of the remaining deposited the trust deeds with the Trusteeship Council. However, South Africa refused to submit to the supervision of the council as far as South-West Africa was concerned on the plea that the League of Nations' intention was that one day it would merge into South Africa and, secondly, with the demise of the League, the mandate itself had expired and the UN had no power to oversee the administration of the territory in any manner.

The general assembly of the UN sought opinion of the World Court on the point whether or not the mandate for South-West Africa given to South Africa by the League of Nations was continuing. And if it was in which authority it vested. After considering the written statements and oral arguments of the parties, the court opined that the mandate was continuing, supervision vested in the general assembly and it could exercise that authority to the extent as the League of Nations had done.

When this issue came up before the court I was not its member. The court's opinion in no way changed South Africa's behavior. Istead, it came up with yet another plea that the UN could act only on the unanimous vote of its members just as the League of Nations use to. It implied that no direction could take effect if South Africa dissented. This issue was again referred by the general assembly to the world court for advice whether in this matter the general assembly was bound by the League of Nations' rule of unanimity or by para 18 of the UN Charter which enabled the assembly to decide by two-third majority. The court held that the assembly, in any case, was bound to act under the UN charter and vote only as laid down in its para 18. This opinion was tendered by the court on the 7th of July 1955 when I was also among its members.

To oversee the administration of South-West Africa the general assembly had formed a committee and made it binding on South Africa to transmit to the committee all petitions that required attention. On contrary, South Africa stopped forwarding petitions. The committee started hearing verbal petitions made to it outside South-West Africa. South Africa raised an objection that the committee was entitled to entertain only written petitions. Again, having considered the written statements and oral arguments, the court held that since the government of South Africa had stopped sending the written petitions, the committee had the right to have recourse to alternative remedies. Judge Redd and I were asked to draft the advice. In preparing the drafts of the opinions and judgments, I learnt a great deal from Judge Redd which served me well in later years. This particular opinion was issued on the first of June 1956.

***Dispute concerning four American officers of UNESCO*:** In UNESCO, an agency of the UN, a number of officials were appointed against temporary posts and their tenures were renewed from year to year. However, a tradition had come to hold that the tenure of an officer whose performance had been satisfactory was extended as a matter of course providing the project on which he worked was continuing. The president of the United States had established a board to investigate and report on the loyalty of the US citizens working in the UN agencies. The board had called upon four American officials who were working against temporary posts in UNESCO to fill and send to the board their declarations of loyalty. They evaded to comply. The board summoned them to appear before it to explain. That, too, they refused. The board reported the matter to the director general of UNESCO who happened to be a US citizen. He informed the four officers that their refusal to fill the declaration of the loyalty and to appear before the board did not conform to the standards expected of the officials of a UN agency, hence their temporary employment will not be extended. The four officers appealed against the order of the director general before the agency's appellate board. The board upheld his order. The aggrieved officers went in appeal to the ILO's departmental tribunal which held that the order of the director general violated the service conditions of the officers, hence of no effect.

UNESCO's administrative tribunal sought the opinion of the world court whether the ruling of the ILO's tribunal that the director general's order violated the service conditions of the concerned officers was in order. A difficulty confronting the court was that while UNESCO, being an international institution and an agency of the UN, was entitled to approach the court and file the statements but its officers in their individual capacity were not. Thus the parties were not equal. And since the advisery proceedings had the same status as the judicial matters, the court could not tender an advice in the absence of one of the parties and so it would refrain from it. UNESCO's reply was that the statement it

had submitted was to support its contention and its copies had also been sent to the concerned officers informing them that if they should send it to UNESCO for filing in the court. That it had done and thus, practically, the parties were equal before the court. And, further, since UNESCO did not wish to argue orally even from that standpoint, the parties stand on equal footing as neither the UNESCO argues nor the officials argue.

The court by majority upheld this viewpoint and conceded that there was no need for oral arguments. I was one of the five judges who dissented. My dissenting note was on the following lines: The procedure that the court had followed shows that the parties did not stand on equal footing before it. It is not equality when a party is not entitled directly to file statement or document in the court but the party opposed may file the statement it proposes to file. Secondly, the court has not refrained from hearing the oral arguments because, possibly, it could shed no further light on the dispute. It refrained from it for the sole reason that if the UNESCO were to argue orally, the court would not have been able to give its opinion. In my opinion, therefore, the parties did not enjoy equal status before the court, hence it should decline to tender any advice.

Once the majority of the members of the court agreed that the parties before it enjoyed equal status, the views were exchanged whether the verdict of the tribunal was correct. At this stage it also came up for discussion whether the five judges, who had expressed the view that the court should not rule on the point, were entitled to participate in the vote. From our side it was said that though the court should have declined to give its opinion but since the majority held the view that the court was entitled, the majority opinion was binding on us and, therefore, like them we five were also entitled to tender our opinion. Thus, by majority vote, our standpoint was upheld and we five also tendered our opinion. Resultantly, with our opinion counted, the court held by majority vote that it was entitled to hear and decide the appeal of the ILO officers. The opinion of the court had been sought only on this point and not whether the order of the

tribunal was right or wrong in the light of facts. This opinion of the court had the effect of upholding the order of the tribunal and relief to the concerned officers.

Disputes between governments of France and Norway: Towards the close of the nineteenth country and in the early years of the twentieth, some semi-official Norwegian agencies had borrowed money from some French financial companies through international brokers and had committed to pay back the sum borrowed with interest in installments related to the price of gold, After the first world war, Norway, like many other countries, delinked its currency from the gold standard and, simultaneously enacted a law that henceforth all loans and interest payments would be in the national currency notwithstanding terms to the contrary in any loan agreement. The Norwegian borrowers, thus, no longer remained bound by the gold price stipulated in agreements.

The French lenders, however, demanded that the payments should be linked to the price of gold. Norway rejected their demand relying on the international usage that the repayment of loans is governed by the laws of the borrowing country. Acting in behalf of the lenders, the government of France took the dispute to the World Court contending that the Norwegian borrowers were bound to pay back the capital with interest under the terms of the agreement, i.e. the gold price, which would have been many times more.

The preliminary objection raised by the Norway was that the dispute did not lie in the jurisdiction of the court. The second objection was that France right from the beginning, some years before the dispute, had actually come up before the court. And while conceding the point of jurisdiction referred to an exception that a dispute which the government of France holds relates to its domestic laws and, in no way, was connected with the international law, the World Court would have no jurisdiction. Although the documents filed by Norway contained no such exception, bearing in mind the rule of mutual equality, it should also be read in the Norwegian documents against France as the continuation of the government of Norway was that the dispute related to its domestic and not

international law. The World Court, therefore, had no jurisdiction to hear it. The court nominated me and judge Vanriasky to write the judgment. It was announced on July 6, 1957.

***Dispute between the governments of Switzerland and USA*:** Following the second world war, the US government assumed control of a trading company, declaring it to be enemy property, and ordered the sale of its shares. The company, claiming to be Swiss and not German, sought remedy in an American court. In the course of the proceedings the respondent asked for the connected registers and documents to be produced. When called upon by the court to do so, the plaintiff company took the plea that it did not possess or control some of the documents and the Swiss law did not permit the rest to be taken out of the country, hence it was unable to comply with the direction of the court. Declining to entertain that plea the court dismissed the plaint. The plaintiff company went in appeal to the US Supreme Court. At this stage the Swiss government also filed a complaint in the World Court against the United States on the plea that since the plaintiff was a Swiss company, the action initiated against it was unjustified. The government of Switzerland also requested the court to restrain the American government from disposing of the shares of company till the decision of the court.

As required under the rules of the court, this application was heard on priority. On the day it was to be heard, it transpired that the company's appeal had been accepted and consequently, the order of the lower court (dismissing its plaint) stood cancelled and the lower court was directed to reinstate the appeal and proceed under the law. Since the US government had already been restrained from selling the shares of the company, in the circumstances the World Court did not consider it necessary to tender any advice. This order was announced on October 24, 1957.

The US government filed preliminary objections calling the jurisdiction of the court into question. One objection was that since the company's plaint

was being heard in an American court and the company was following it up, if it succeeded, the Swiss government will have no grievance to pursue. And so long as it was pending before an American court, the Swiss government could not seek remedy in the World Court. After hearing the parties the court held that the objection of the American government was tenable and the plaint of the Swiss government, being premature, was inadmissible. The order was announced on March 21, 1959. Later, the two governments reached an amicable settlement.

***Dispute between Portugal and India*:** On December 22, 1955 the government of Portugal filed a complaint in the World Court accusing the government of India of illegally closing traffic between its coastal colony of Daman and its territory in the interior called Dadar and Nagar Haveli. It was contended that Portugal was authorised to transport troops, police, other armed men and also trade goods between the two territories. And interference by the government of India was a violation of international law. The complaint demanded an end to interference and compensation for the loss. The government of India filed six preliminary objections calling into question the jurisdiction of the court. After hearing the arguments, the court rejection four of the objections and put off the remaining two till after hearing the facts of the case. The court asked me and Sir Lauter Pofitt to write the judgment which was announced on November 26, 1957.

The government of India filed its reply on points of facts and Portigal its counter-reply and rebuttal of India to the counter-reply. India's contention was that Portugal had rights only of fiefdom over Daman and Dadar Nagar Haveli and not the powers of government. Portugal, therefore, was not entitled to any of the rights it asserted. The transportation of men and goods between the two territories was with the consent and permission of the Indian government and not as a matter of right. The people of Dadar and Nagar Haveli had already proclaimed independence which had created a ferment in the area and throughout India. The traffic between Daman and Dadar Nagar Haveli therefore might incite

the people to violence and threaten Portuguese lives. The action of the government of India therefore conformed to the law.

After hearing arguments, the court ruled against India in the remaining two preliminary objections and went on to hold that it had the power to hear the complaint. The court further ruled: 1, Portugal enjoyed powers of government over Daman, Dadar and Nagar Haveli; 2 Portugal had no right to transport troops, armed police, arms and ammunition but had the right to transport its civil officers, subjects and trade goods, etc; and 3, in the emerging circumstances reported by India but not denied by Portugal, the suspension of traffic by the government of India was not a violation of the international law. The writing of this judgment was also entrusted to me and judge Badeywan. It was announced on April 12, 1960.

Election as vice president of the World Court: In 1958, Norway's judge Clausted was elected president of the court and I, as vice president.

Disputes between Holland and Sweden:In 1902, a convention was established under the auspices of the League of Nations laying down that the nationality of the non-adults who reside outside their own national territories shall be determined in accordance with the nationality laws of the countries of their origin. Holland and Sweden both had subscribed to the convention. Under clause 7 of the convention, the authority of the country of the residence of the child was accepted to the extent the department officials may take suitable action to protect the rights of the child in an emergency.

A Dutch citizen named Johenes Bole who was the captain of a ship married a Swedish woman and settled down in Sweden. A girl was born to them in 1945 in Sweden. Her mother died on December 5, 1953. After her death, Capt Bole shifted his residence to Holland. A Dutch court appointed him custodian of the infant girl. Meanwhile, Sweden's department for children's welfare under a Swede law of 1924 which applied to all children gave the

custody of the girl to maternal grandparents on the ground that the girl suffered from a debilitating nerve disease. Capt. Bole instituted proceedings in a Swedish court to assert his guardianship right. The Swedish court accepting his plea handed over to him the property of the infant girl. When Capt. Bole demanded custody of the girl, the department for child welfare refused on the ground that because of her nervous sickness she needed special custody arrangement under the 1924 law. Capt. Bole challenged the action of the child welfare department in the court of law which upheld the department's action.

In July 1957, the Dutch government filed a suit against the government of Sweden on the plea that the standpoint of the child welfare department being in contravention of The Hague Convention of 1902 the custody of the girl should be given to Capt. Bole who under the Dutch law was the guardian of the girl. The government of Sweden took the plea that the Swede law on child welfare was not subject to the guardianship law. Therefore, so long as it was necessary for the girl to stay with her grandparents for the sake of her health, her father could not lay claim to the custody of the girl by virtue of his being her legal guardian. In the circumstances, neither the action of the child welfare department nor the standpoint of the Swedish courts was in violation of the 1902 Hague Convention. The World Court upholding the Swedish contention ruled that Sweden's law of 1924 did not interfere in the guardianship rights. It was a law of for the welfare of all children outside the ambit of the Hague convention. In the course of discussion among the judges, I found the Chinese Judge Wellington Koo in agreement with my view that clause 7 of the convention did not apply to cases of urgent necessity and the action of Sweden's child welfare department was, indeed, out of urgent necessity which, in medical view, persisted. And uptil the time the department was satisfied that the girl needed the care of her maternal grandparents, it would be justified in keeping the arrangement intact. Judge Wellington Koo based his decision on clause 7 of the convention. I agreed with him. The judgment of the court was announced on November 28, 1958.

Disputes between governments of Israel and Bulgaria: According to the government of Israel one of the Israeli liners was shot down on 27 July 1955 over Bulgaria killing its seven crew and 51 passengers when by mistake, or due to bad weather, it strayed into the Bulgarian airspace. Israel protested and demanded compensation for the loss of life and aircraft. The Bulgarian government was sympathetic but a dissatisfied Israel took its complaint to the World Court. Bulgaria challenged the jurisdiction of the work.

The contention of Israel was that since the government of Bulgaria on 29 July 1921 had filed papers acknowledging the jurisdiction of the forerunner of the World Court, on becoming a member of the UN on 14 December 1955 the World Court had acquired the same jurisdiction under the statue. The Bulgarian contention, on the other hand, was that the statue covered only those countries who had joined the UN before 18 April 1946. Those who did not by that date, their consent (conceding the court's jurisdiction) had abated. And since Bulgaria had joined the UN in 1955, the World Court had no jurisdiction. The court conceded this contention through a judgment announced on 26 May 1959.

***Dispute between Belgium and Holland*:** Belgium and Holland had been disputing the ownership of a piece of land on their common border. On March 7, 1957 both agreed to refer the dispute to the World Court. The agreement was filed with the Bank on 26th of November. After looking at the maps and documents and hearing the oral submissions of the parties, the court came to the conclusion that the disputed tract belonged to Belgium. Judge Percy Spender and I were asked to write the judgment which was announced on June 20, 1959.

Dispute over the selection of the members of IMCO'S Maritime Defence Committee: Inter-government Maritime Convention (IMCO) was established in pursuance of a convention signed on March 6, 1948 envisaging an assembly to be elected by the member countries. At least eight of the lot had to come from the countries owning the largest maritime fleets. The remaining six

were to come from rest of the member countries who provided the majority crew and passengers and because of their geographical situation were also deeply interested in the trade. Election to the defence committee took place on January 15, 1959. The Lloyed Shipping Register of 195, listed Liberia at number three and Panama at number eight on the basis of the ships registered.

The Assembly, however, did not elect either of the two. As the polls ended, Liberia proposed a reference to the World Court to determine whether the election conformed to the convention. After approval by the Assembly on January 19, 1959, the secretary general submitted a petition. The court ruled that under clause 28 (A) of the convention election of at least eight members from countries with the largest number of ships was a must. Therefore not electing Liberia and Panama constituted a violation of the clause. The opinion was handed out on June 8, 1960.

Dispute between the governments of the central American states of Honduras and Nicaragua: On October 7, 1894 Honduras and Nicaragua, Central America's neighbouring countries, signed a pact to establish a joint commission to demarcate their common boundary. One of the provision said that if the commission was unable to complete the task successfully in all its aspects, the part remaining will be entrusted to a mediator whose decision will be binding on both.

The commission started its assignment from the Atlantic shore and unanimously drew most of the line. But just about 200 miles short of the Pacific Ocean differences arose among its members. Finally, in 1904, the demarcation of the unmarked portion of the boundary was assigned to King Alphonso of Spain as mediator. The King agreed to be the mediator on October 17, 1904 to the joy of both countries. The King gave his verdict on December 23, 1906 which generally endorsed Nicaragua's contention. The president of Nicaragua sent a congratulatory telegram to his Honduran counterpart on the settlement of a cantankerous dispute through mediation. Both countries also sent congratulatory

messages to King Alphenso. The parliament also ratified the settlement. Despite all that, the implementation of the award was delayed time and again. Finally, in March 1912, the government of Nicaragua refused to implement it putting forth a number of reasons for not doing so. The two countries made a number of attempts to settle the dispute but to no avail.

Lastly, on July 21, 1957, they signed an agreement to hand over the dispute to the World Court. On July 1, 1958 the ambassador of Honduras to Holland, acting on the instructions of his government, filed an application in the court. In the written statement and oral agreement, Nicaragua took the plea that the appointment of the King Alfonso as mediator did not conform to the pact of October 7, 1894. Further, the mediation award was so vague and contradictory that it was not practicable and Nicaragua was not legally bound to implement it. Rebutting all these grounds, Honduras requested the court to rule that the award was valid and binding on Honduras.

After deliberations the court reached the conclusion that the appointment of King Alfonso as mediator was in accord with the stipulated condition and the king had not only given his consent but also pronounced the award within the validity period of the agreement. Its contents conformed to the terms of the agreement and contained no such ambiguity as to stand in the way of its practical enforcement. Further, once Nicaragua had agreed to mediation by the King and had fully participated in the proceedings, its objection that the appointment of the King suffered from some defect could not be entertained. Furthermore, acceptance of the award and raising no objection to it till March 1912, made its implementation binding on Nicaragua. To write the judgment, the court once again named me and the Chinese Judge Wellington. The judgment was announced on November 18, 1960,

***Some other judges of the World Court during my six years on the court*:** My term began with my election to the court on October 7, 1954. Though the election is for nine years, my election, being in the vacancy caused by the

death of B.N. Rao, was up to February 5, 1961, when his term was due to expire. During that period a number of judges changed. The judge from China Mr. Shomo, died before completing his term. Against the rest of his term, Wellington Koo was elected. In February 1958, when his term expired, he was elected again for nine years.

Judge Shomo's viewpoint was always impartial, just and in strict conformity to law. I held him in high esteem. A little before his death he got the dreadful news of the suicide of his only son in America. The grief badly affected his health and he died of sudden heart failure. Judge Wellington Koo had been serving his country since before the revolution of 1911. He was the leader of China's delegation to the Paris Peace Conference and was associated with the formation of the League of Nations and later also of the UN. In 1946, he was China's ambassador to the US and served in that capacity for ten years before his election to the World Court. For the last three years of his term he was vice president of the court. He retired on February 5, 1967. I was on friendly terms with him and Wellington Koo.

Britain's Lauter Pofit died in 1960 and Sir Gerald Fitzmorrice succeeded him. Soon after that, Judge from San Salvador, Mr. Garero also died. In his place Mr. Alfaro of Panama was elected. San Salvador is Central America's smallest country. Judge Garero was a politician and had retired as ambassador of his country. He became first a judge and later president of the international court of the League of Nations. Retiring on pension when that court was wound up, he was elected to the World Court. He was its president from 1946 to 1949 and later vice president from 1949 to 1952. He was elected again after his term expired, but died in 1960. The Polish Judge Vanarsky, Egypt's Abdul Hamid Badavi, Yugoslavia's Zore. Chech and Canada's Redke's terms expired on February 5, 1958. Out of them, Judges Abdul Hamid Badavi and Vanarsky were elected for a second term while Zore Chech and Red were succeeded by Sporo Polos of Greece and Australia's Percy Spender.

Death of my younger brother Abdullah Khan: While at the World Bank, I had to suffer the grief of the death of my brother Abdullah Khan in 1959. He was additional claims commissioner at Karachi and also Emir of the Ahmadiyya community. Mild natured, he was a courteous and contended man of few words. His actions or speech hurt no one but benefited many. He wasn't keeping well for some years but the last three years of his life, though in pain, he performed his duty showing no laxity in the service of humanity without ever a complaint on his lip. Abdullah was an obedient son and brother, loving and caring husband, an affectionate father and friend whom others could trust. He was deeply attached to me. I saw his lovely face for the last time on Jan 15; 1959 at Karachi airport. Reaching Lahore, he suffered severe chest pain. As weakness grew, a number of seething ailments appeared. And at last be fulfilled the eternal promise of

ایں جان عاریت کہ بہ حافظ سپہ دہ ست
روزے رخش بہ بینم و تسلیم بوسے کنم

This borrowed life my friend has surrendered to his Custodian
I am destined to set my eyes on his face one day and surrender my life before Him.

At the time of his death I was at The Hague. Away in body, my soul anxiously went round him praying in the court of the Lord of the World for his recovery. When his Creator summoned him he departed with "here I come my Lord" on his lip. We all are destined to go there one day – never to part.

Failure in election to the World Court in 1960:The tenures of the Judges – Hackworth of the US, Norway's Clestad, Uroguay's Armandao Gan, Russia's Kajio Nikovoki and mine were due to end on February 5, 1961. The nomination for Hackworth's re-election came not from America but some other

countries. The re-election of judges Clestad and Armandao was proposed by their own countries and some others as well. My situation was similar. The election was due to take place in the 1960 annual session of the General Assembly.

A few days before the voting date, Aga Shahi and K.B. Syed Itaat Hussain spoke to me from New York to say that though the contest was severe they were doing their best but success was hard to predict. Bearing their anxiety in mind, I wrote to Itaat Hussain: "From our limited viewpoint it was a good thing to strive for, hence we must. I am grateful to you and Aga Shahi for your exertions. The results is up to God and we do not know what is better and more beneficial for us. That is known to Allah alone. Keep trying but do not at all worry. If Allah Almighty considers me equal to the task or wants me to serve in this capacity, He would bestow victory on me notwithstanding the stiff competition. But if He wants me serve in some other capacity, He would, surely, open doors".

Living in The Hague then was a sincere and faithful Dutch lady named Aziza Walter. I requested her to pray. As the result was declared, the deputy registrar of the court, came to my room saddened to say that none of the five judges who were up for reelection had been elected. As soon as he made his exit I rang up Aziza Walter to thank her for praying and to inform her that I had lost the election. As she heard me she said:

مَا وَدَّعَكَ رَبُّكَ وَمَا قَلَىٰ۔ وَلَلْآخِرَةُ خَيْرٌ لَّكَ مِنَ الْأُولَىٰ۔
وَلَسَوْفَ يُعْطِيكَ رَبُّكَ فَتَرْضَىٰ۔

[Thy Lord has not forsaken thee, nor is He displeased with thee. Surely every hour that follows is better for thee than the one that precedes. And thy Lord will soon give thee and thon wilt be well pleased].

The next day she told me on hearing the news of the defeat in election, a thought forcefully arose in her mind that Allah Almighty wished me to serve in some other, more important, capacity.

Offer of professorship from America's Denver University: Dr. Josef Korbel was a member of the UN Commission on Kashmir. After leaving the commission, he migrated from his home country Czechoslovakia to America to become professor of Denver University's foundation for social sciences. Just two days after the news of the election, I received a telegram from him stating that his university will be greatly honoured if I could be persuaded to agree to be professor at the university's department of international relations.

Greatly impressed by his gesture, I thanked him to say: "I do not consider myself qualified enough to accept your most valuable offer. First, because all along I have been in the field of action, not familiar enough with the academic world. To perform adequately, I shall have to exert hard which I would not be able to do. Therefore, despite an overwhelming thought that the university's peaceful academic atmosphere and charm of Denver and its countryside, I am unable to respond positively to your offer".

Relations with the colleagues in the court: My relations with the fellow judges all along remained very cordial. With Judges Redd of Canada, Shomo of China, Heckworth of US (president) and Cordva of Mexico it became a relationship of deep friendship. Abdul Hamid Badavi (vice president) treated me with great affection but he was a man of reserved temperament and to him I had always to be courteous, never informal.

Judge Basdevant of France: The court's former president, Mr. Basdevant, treated me with great courtesy always with a smile. In the beginning, I had a feeling as if he viewed me with a certain amount of suspicion. Though he knew English he was hesitant in conversing in it. Since I did not know French at

all, conversation with him was infrequent. In knowledge, he stood on a very high ground. He was an undisputed master of international law – so well versed in all its ups and downs as, according to Sheikh Saadi, is Tazi horse with the squares and alleyways of Baghdad.

As for me, I was but a pedestrian in this field. In stages I sensed a slight change in his attitude. I thought perhaps my first impression of him was incorrect or, may be, the change for the better that I later perceived in him was misleading. In course of time I was convinced that if he entertained any doubt about me in the beginning, it was dispelling. In the first half of my term, whenever I put forth a view on any subject in private meetings of the court, he would listen attentively – some time appreciate and encourage me. The riddle of his conduct opened up when at the end of 1960 all the five sitting judges of the court, I was one of them, were not elected for another term. He was then ill and illness was aggravating.

Hearing of the election result, he wrote to me from his sick bed expressing sorrow on my not being elected: "I would like to tell you that when you were elected to the court, going by your activities at the UN, I feared that in deciding the disputes coming up before the court you would be guided not by judicial but political considerations. From the trend of discussions on the cases, it soon become obvious that my fear was wholly unfounded. I could make out that you were an experienced jurist and judge who studied every case with care and bear in mind only such matters as were necessary for a decision based on law alone. Often your views helped me make up my mind. In the course of discussions with the judges, I would eagerly wait for the moment for you to express your views".

This kind of recognition was a proof of his greatness. After remaining a member of the court for 18 years he retried on February 5, 1964 and died three years later.

***Norwegian Judge Klestard*:** Norway's Klestad was a sober judge who minded his own business and would say only what must be said. He would come

to the court 10 minutes before the session and leave for home as soon as the court adjourned. No judge ever mustered courage enough to engage him in informal conversation. As judge Hackworth became the president, he changed the seating arrangement of the judges in private sessions. That brought my seat next to his. Whenever I talked to him he would answer in a few words, conversation never proceeding further. In my first three years 1955-57, as far as I recall, only once he talked to me first. That was the day when the prime minister of India, Pundit Jawaharlal Nehru, returning home from the Commonwealth prime ministers conference at London stopped over at The Hague and the Indian ambassador had hosted a reception in his honour to which the Judges were also invited. I could not attend the reception because I was committed to go elsewhere. In a private session of the court, Judge Klestard asked me whether I would go to the Indian ambassador's reception. I told him I would not for I was to go elsewhere. He then said:" I would never attend a reception in honor of a man who does not stand by his word."

At the start of 1958 when Judge Klestard was elected president of the court and I the vice president, we got to see more of each other. To attend to the duties of the president he was required to stay longer in the court. Soon after the election, all of us had assembled in the room of the president. There he told me that he was very happy on my election as vice president. That assured me a bit for hardly ever he said things formal. Once I was invited by the registrar of the court, Mr. Lopez Oliver, to dinner at his home. After dinner when two of us were alone, he said: "The president is a sober man of few words but highly sensitive. Being hypertensive any thing said in private sessions which he considers unduly critical of him greatly upsets him. Once he had to go straight from a meeting to a physician for a check-up. Since you sit next to him I should say something to reassure him whenever he looks worried. President Hackworth, is a cool-headed man who patiently puts up with dissent or criticism. If the objection is relevant he would willingly give in or gently ignore, if it wasn't".

After listening to the registrar, I started noting that the president resented dissent or criticism of one man only. That was not because he could not tolerate difference of opinion, it was the way the concerned man put it as if he was repository of all knowledge and the person he was talking to was ignorance personified. On such occasions, all that I could do was to answer the concerned man myself and if what he had to say was palpably unreasonable I tried to put him off. By and by the president reposed confidence in me which soon turned into utmost affection. When the first judgment was written under his presidentship, he asked me to read it out in the open court. Under the rules, I submitted, it was his privilege. He said to read out a lengthy document would weigh him down. And since I was the vice president he would always ask me to read judgments out and that remained the practice during his presidency.

Judge Klestard's term ended on February 5, 1961. He was a member of the court for 15 years. Greatly fond of music, he played piano but only when alone. He composed music and parts of it were recorded by Salzburg (Austria's) symphony orchestra. The cold climate of his home country, its long winter nights and ice-cold winds were troublesome for him. After retirement he took up residence in Florence (Italy). By coincidence, the weather there that year was severe. It constantly rained. Fed up, he soon went to Oslo. In February 1962, there for a conference, I spent an evening with him. He said my presence had cheered him up otherwise he was mostly silent and melancholy and was no longer fond of music.

In Sept 1962 on my election as president of the UN General Assembly he wrote a letter to me full of affectionate and sincere thoughts. Coming from a man with the qualities of an angel, the expression of affection was a source of enormous happiness for me. He died on May 23, 1965. He was as kind to me as I was indebted to him. On his death I wrote a letter of condolence to his wife. She wrote back: "I need not tell you the kind of sincere relationship he had with you. He had one of your letters pasted on the cover of his Bible."

Begum Liaquat Ali Khan: In 1954, as foreign minister I persuaded Begum Raana Liaquat Ali Khan to be Pakistan's ambassador to Holland. Having given her consent, the appointment was made with the approval of prime minister Mohammed Ali Bogra and governor General Ghulam Mohammed. She took up her assignment in Sept 1954 and held it till June 1961. After that she went to Rome as ambassador.

In January 1955 on election to the International Court of Justice I came to The Hague and stayed on till February 1961. Since all this while Begum Sahiba was ambassador there, I can say on the basis of my personal knowledge that she discharged her duties with great ability and dignity. In Holland her name became synonymous with Pakistan and till today she is respectfully remembered. With the Queen of Holland she developed warm, friendly terms and was equally popular in the official, non-official and academic circles. It was generally said that after Queen Juliana she was Holland's most popular woman. She would invite selected students from every university to the embassy residence and extend special hospitality to them. After formal reception, she served meals to them. Such a motherly affection could come only from her. Her personal secretary, Miss Catherine Miles, was always by her side.

The affection and hospitality Begum Sahiba extended to me, and because of her by the staff of the embassy, left a deep imprint on my mind. She desired me to report at her residence every Saturday and Sunday afternoon and stay for dinner. In preparing meals for me she took my taste and medical compulsions into full account. During my stay in The Hague I never had a feeling of being away from home because of her care. It is indeed a miracle of her affection and hospitality that every day a loud prayer arises deep from my heart for her.

Two instances of Begum Raana Liaquat Ali Khan's commitment to Islamic values: Yet another reason for which I hold Begum Sahiba in high esteem is her sensibility in guarding Islamic values. One day she called me on phone to drop by on the way back from the court and not later than 3 p.m. I was

there 15 minutes ahead of time, I saw her in an agitated state holding a leaflet which she handed to me. It was the English translation of the editorial of a Dutch daily. In substance it said that the Indonesian government blamed Holland for its failings and weaknesses not realising that it was all due to its adherence to an orthodox faith like Islam that impeded progress. Indonesia had to find a remedy for that before blaming Holland.

She told me to draft a reply and soon. The next day when I rang up to say that the reply was ready, she wondered how she could get it translated into Dutch for the embassy's public relations officer was on leave. I told her not to worry, I would request Mrs. Zimmerman (a Dutch Muslim lady who was a translation expert) to do it. The translation done, it was decided that Hafiz Qudruthullah, head of the Ahmadiyya Hague mission, should deliver it personally to the editor and demand its publication. Being too long, he published its important contents. Begum Sahiba sent copies of the published article to all embassies.

On another day, she called me greatly worried to tell me that a Muslim youth who had grown up in her home was planning to marry a Dutch girl and had also agreed to convert to Christianity. Preparatory to the marriage, he was also visiting a church to receive instructions on the rituals from a padre. Begum Sahiba was keen that the staff of the embassy somehow should manage to put him on a plane to Karachi. She was restive till that happened.

Aziza Walter, a Dutch convert to Islam: Aziza Walter, a Dutch convert who has already found a mention in this narrative was a very pious and noble lady. During the month of Ramazan she would undertake a 45-minute journey to Ahmadiyya mosque after breaking the fast and to say her *taravih* prayers. Being an amateur calligraphist, she wrote names of Allah and Quranic injunctions to decorate the mosque – but 'Allah' always in golden letters. She also prepared some tablets for my house and insisted it was a gift. On my second term at the court I found her alive and well but old age taking its toll. On August 7, 1968, she set on her eternal journey to meet the Creator she had adored all her life.

***Performance of Umra while at the World Court*:** In childhood I had heard of my grandfather Chaudhry Sikandar Khan gone for Hajj. Since then I had a burning desire to perform that essential ritual. In 1914 on return journey from England after completing my education, I had planned to go for Hajj and bought the ticket before hand but the outbreak of the World War undermined the plan. In 1939 I planned once again to go for Hajj in January but could not as the Second World War broke out in September. After the creation of Pakistan during a session of the General Assembly as I came in contact with Saudi Arabia's foreign minister, Amir Faisal (now the king), I consulted him about Hajj. He said he would make all arrangements but heat at the Hajj time in those days was so intense that despite every amenity provided it remained intolerably oppressive. His advice was that I should go after a few years when the weather would be somewhat moderate.

In 1958, the session of the court was to begin in April instead of the usual February. I thought of using this time to perform *Umrah.* Khawaja Shahaluddin, then was Pakistan's ambassador at Jeddah. I communicated my intention to him and reached Jeddah on March 17, 1958, Khawaja Sahib met me at the airport and insisted I should put up at the embassy-residence. He told me that as he mentioned my *Umrah* visit to King Saud, His Majesty said "he would be our guest." Khawaja Sahib said, his submission to His Majesty was that though I would be the royal guest and all arrangements would also be made by his government, I should be permitted stay at the embassy so that arrangements could be made fitting the limitations of my diet and other routines. His Majesty agreed to that on the condition that the journey to and stay at Mecca and all the rest would be made by the Saudi protocol. Khawaja Sahib and his wife are known for their hospitality. I enjoyed every comfort at their house as I had often at Karachi.

Privilege of marking my presence at the House of God in Mecca: I left for Mecca on March 18 after the morning prayers. Superintendent of the embassy accompanied me. The surge of emotions during the journey defies description. One can describe the ritual but not the inner emotions. Recitation of the standard evocations begins as one leaves Jeddah. Just short of the outer boundary of the *Harem* is Hudaibiya where the Holy Prophet had camped to negotiate final terms of the truce with Sohail, representative of the Quresh tribe, that led to the signing of a treaty. I kneeled in a short prayer at the site. A special prayer is also prescribed for the first sighting of Mecca and later on entry in the town itself.

My stay was arranged at Hotel Egypt. After *Tawaf*(circumambulation) as I prayed in a trance, the door of Kaaba was opened for me to enter. I knelt in prayer at the spot where the Holy Prophet is said to have prayed once and in the other three corners to experience what Maulana Rumi has described as *dar drune kaaba rasme qibla naist* [inside Kaaba one need not turn to qibla to pray].

Facilities provided by the House of Saud for the Pilgrims: The Saud dynasty has put an end to severe and countless hardships that the pilgrims had to suffer by constructing black-top roads from Jeddah to Mecca and Medina and from Mecca to Mina, Mazdalfa and Arafat plane where sweet drinking water is available aplenty; the Safa-Marwa path has been covered; the courtyard of Kaaba has been expanded and paved; and every other comfort is provided. I climbed up the inner staircase to see the incharge engineer and thus had the privilege of spending a few minutes in the space between the outer and inner ceilings. I quaffed the zamzam water and recalled the unquestioned obedience and unparalleled sacrifice of Hazrat Ibrahim (Abraham), Hazrat Hajra (Hagar) and Hazrat Ismail (Ishmael). After the ritual running – Saee – between the Safa and Marwa rocks, I again prayed at the sacred spots. In the afternoon I went on the Hajj route to Mina, Mazdalfa and Arafat, prayed at *Jable Rehmat* – Mount of the Sermon – to remember in gratitude the best of Mankind and Most Adored by

God -- the Final Bearer of the Divine Message. After another round of circumambulation and prayers at various sacred spots, while driving back to Jeddah I was able to persuade the chauffeur to make a diversion to the cave in the mountain – *GhareSaur* – where the Holy Prophet and Hazrat Abubakr had stayed for a few moments while migrating to Medina. The cave being at a considerable height and heat intense, I had to be content with a glimpse of the cave and drive on to Jeddah.

***Privilege of meeting with his Majesty Kind Saud*:** I went to see HM the King at Riad the next day. I had read in the life-story of Sultan Abdul Aziz son of Saud that Riad was just a small town he occupied by scaling over the mud wall around it in the darkness of the night with a few loyal companions. But Saud's Riad was not the Riad of his son Abdul Aziz that I saw. It was a Texas-like city rising out of the desert. The story of Kuwait in similar. In 1934 when I had stayed a night there it was no more than a small town surrounded by a mud wall. Twenty-eight years later when I happened to visit it again it could be likened to a jewel that had come out of a beggar's quilt. Though Riad competes with Houston, no building in any Texas city rivals the royal palaces of Riad. His Majesty received my humble self with great courtesy. An ailing Amir Faisal was then convalescing somewhere in the desert. Thus, I missed seeing him.

***Meeting in Riad with Abdul Wahab Azzam*:** I was delighted to see Abdul Wahab Azzam in Riad. At one time he was Egypt's ambassador in Pakistan. As an academic of distinction he had translated selected parts of Allama Iqbal's Persian poetry into Arabic. In Riad I found him immersed in the Riad University as its rector. Sadly he died soon after that.

On the way back, I again went to Mecca. I had planned to visit Medina on 23rd of March but Khawaja Shahaluddin insisted I must stay back to attend the grand reception he was hosting to mark the Pakistan Day. Embarking on journey

to Medina after sunset I, reached their past midnight – before the metalling of the road a camel ride to Medina took 13 to 17 days.

The privilege of being at Medina – Home of the Holy Prophet: At Medina my stay was arranged in the royal guest house. The commercial secretary of the embassy accompanied me. On the 24th morning I prayed at the sacred grave in the Prophet's Mosque and also offered prayers at the Prophet's Rostrum. I went to *Jannatulbaqi* – the graveyard of Hazrat Usman, Halima (Holy Prophet's foster mother), Usman son of Mazun, Ibrahim (son of the Holy Prophet) Abdul Rehman son of Auf and other companions. On the way back from the battlefield of Ohad, I prayed at the Qiblatain and Qiba mosques. After sunset I went once again to pray in the Prophet's Mosque. The sentiments that swell in the heart and mind of the visitors to Medina, poet Asad Multani had thus expressed on this visit:

ھر راہ کو دیکھا ھے محبت کی نظر سے
شاید کہ وہ گزرے ھوں اسی راہ سے

[I look lovingly at every path, May be he had tread it]

The truth is that it is hard to express in words the state of one's mind during the stay at Medina and, more particularly, near the sacred tomb.

Early on the 25th morning we set on return journey to Jeddah. On the way we stopped close to the battlefield of Badar on which a thousand seasoned warriors of the Quraish armed to the teeth confronted 313 ill-clad, poorly armed and new to the art of war – some of them raw youth – in a battle which by its results could be considered as the shortest and yet the most decisive in the annals of warfare. Apparently there was no visible comparison but to a discerning eye it was a contest between the arrogance of power and faith in Allah Almighty, between belief and disbelief. Had on that day heathens prevailed over the

faithful, obedience to Allah, as the prophet beseeched his Creator on that day, would have vanished from the earth for all times to come. But that was not ever to have happen as years before that Allah had told His adored messenger on earth and promised:

سَيُهْزَمُ الْجَمْعُ وَ يُوَلُّوْنَ الدُّبُرَ

[Soon will their multitude
Be put to flight,
And thy will show their backs]

It was a journey of overwhelming emotions and streaming tears that found expression in the Urdu verse:

مے پریدم سوئے کوئے اومدام
من اگر مے داشتم بال و پرے

[Were I to be endowed with arms and wings – forever I would have been flying in the streets of the man I adore].

Islam: Its meaning for modern man – a booklet written at the request of an American organisation: In 1960, persuaded by Dr. Ruth Anshen, editor-in-chief of "Religious Perspective", I agreed to write a short book in a series of publications under the above title. The manuscript of the book was completed during the court's summer vacations and was handed over to Dr. Anshen before the end of the year. She was thrilled as she never expected to get it that quickly. After a while she wrote to me appreciating the contents of the manuscript. Some months later she wrote to say that the expert of Harper and Andrews (publishers) on Islamic studies had enormously liked it. It was published, as scheduled, toward the end of 1962. The publisher proposed to name it "Islam: Its meaning for modern man" This humble attempt of mine found greater recognition than I had ever expected.

Once the result of the election of the judges was known, I contemplated my future programme. Being a diabetic since 1936, by April 1941 insulin injection had become inescapable. For diabetes summer is harmful but winter beneficial. I did not have to spend the summers in the plains between 1932 and 1947. In seven years as foreign minister, it so happened that I had to spend best part of successive winters abroad – in Europe or America. However, in summer I had now to stay mostly in Karachi. It gets hot there though not as hot as in the Punjab plains but is still quite oppressive. I was spared the heat of plains for 15 years before 1947. Living in the heat of Karachi for seven years raised my insulin doze from 20 to 28 units. At The Hague because of the cold weather and less stressful and regulated life the doze came down to six units. In fact insulin injection of less than 10 units ordinarily is not even recommended. At that level the expectation is that the patient should be able to maintain the sugar level by diet control. Dr. Jolsen's advice was to keep my doze at six units but regularly check for possible increase. In the circumstances, my first requirement was to live at a place where I wouldn't have to suffer heat.

Lahore is pleasant in winter and environment of the city is conducive to intellectual activity but gets intensely hot in summer. A house therefore had to be arranged in the hills. Living in Rabwah would have been even more to my liking as I had a house built there but it is even hotter than Lahore. Taking everything into account, I thought of arranging a place to spend the summers in England. The pension from the World Bank was more than enough for my simple lifestyle and limited needs. A flat was purchased in Cambridge by selling The Hague flat. Toward the end of 1961 I shifted my residence from The Hague to Cambridge. After furnishing the flat, I returned to Lahore.

Foreign minister's offer as the UN's representative in Somalia: In Karachi, Joint Secretary Khurshid came to see me with a message from foreign minister Manzur Qadir to get my consent for appointment as the UN representative in Somalia. The proposal, he said, was under the consideration of

the UN secretary general. The government of Somalia was keen on the selection of someone from Pakistan and the secretary general was inclined to go along. The government of Pakistan had nominated a person but the secretary general desired a more senior person as the UN representative, for all practical purposes, would have the status and authority of prime minister with matching emoluments and facilities. The foreign minister was waiting for me to return and give consent. When told I was not interested he was highly upset for, he said, the foreign minister was utterly confident I would agree. "If the minister wished to know the reason for my refusal what should I tell him" he asked. "Tell him exactly what I have said", I replied, "and if he wished to know the reason it would be that Somalia being a newly independent country its administration shall have to be reorganised wholesale which can be done only by an administrator of high order. As for me, I had no concern with the governmental affairs for seven years and now, at 68 years of age, I wouldn't be able to withstand the heat of Somalia and being a diabetic it would do me harm. I therefore do not measure up to the responsibilities of the post." Mr. Khurshid thought my refusal would sadden the minister and whether there was a chance of my reconsidering it. I told him there was none.

While in Karachi, I went over to see Mohammad Ikrmullah whom I had known for quarter of a century. He was laid low in hospital with heart trouble. As I took leave of him, he said his doctors must have told me to stay no longer than 15 or 20 minutes. Indeed they had, I said. "Doctors are owls, how would they ever know how comforting and satisfying it is to meet with friends like you. This is the only medicine that works for me. Now sit down and do not think of leaving", Ikramullah commented.

In the course of conversation he told me that it was the fault of the foreign office that I was not re-elected to the World Court. Were it to be vigilant, there was no reason why I should not have been elected. I told him that Khan Bahadur Syed Itaat Hussain and Agha Shahi had been working hard. He said "they must have but our permanent representative not only did not take interest

but was outright hostile. Ikramullah, being a friend, was sad but I was neither sad nor worried:

کارسازِ ما بہ فکرِ کارِ ما
فکرِ ما در کارِ ما آزارِ ما

[My Master Himself is worrying about what I should be doing. My effort is of no avail and will only cause anxiety].

***Legal advice to the government of Spain in a dispute before the World Bank*:** After spending the 1961 winter in Pakistan I went to Madrid on a call from the government of Spain to advise on a case of Barcelona Traction Company before the World Bank in which Spain and Belgium were partners.

Field Marshal Mohammed Ayub Khan, President of Pakistan's offer for appointment as permanent representative at the UN: In July of 1961, Field Marshal Ayub Khan during a stop-over at London on the way to New York called me over and after discussing some other issues desired that I should work as Pakistan's permanent representative at the UN. I submitted to him that Khwaja Saeed Hasan had been there just for a year. Being a heart patient it suited him to be there for medical care and I would hate to displace him. Secondly, he should not be thinking that having lost the election at the World Court, I must get another assignment. The pension of the court, I told him, was enough for my limited needs and I did not at all feel strained. He said that neither this nor the other was a consideration weighing with him. Saeed Hasan was needed in Pakistan and I was more suited for the UN. He advised me to settle the terms with the foreign minister who also wanted to consult me in some other constitutional matters.

I met the foreign minister when he was on the way home from America. He told me that secretary general Dag Hammerschold was very pleased when he talked to him about my proposed appointment. The minister suggested that I

should visit Rawalpindi to settle the relevant details. I did that and after packing up from Cambridge reached New York on August 12, 1960.

***As permanent representative at the UN*:** When I took over as permanent representative, Agha Shahi was the deputy permanent representative but his posting back home had been decided. On my request his stay in New York was extended till the end of the year.

***Election of Tunisian ambassador Al-Syed Manji Salim as president of the sixteenth session of the general assembly*:** The name of Al-Syed Manji Salim was being mentioned as the president of the Assembly for the session that was due to commence in September. Agha Shahi told me that Indonesia's ambassador was also a candidate but the ambassador from Burma, Mr. U Thant, had persuaded him to withdraw his candidature on the assurance that the Afro-Asian countries would support him in the presidential election of next year. Manji Salim was elected unopposed. The president of the fifteenth session before him was the Irish ambassador Sir Fredrick Boland.

***Offer to act as judge in the dispute between Liberia and Abyssinia on the one side and South Africa on the other over South-West Africa*:** I had been in New York but for a short while when Mr. Earnest Gross came over to see me. He was Senator Warren Austin's deputy when the Kashmir dispute had come up before the security council for the first time. I was on friendly terms with him in those days. He was the lawyer as well as the agent at the World Court for Liberia and Abyssinia in their dispute with South Africa over South-West Africa.

A preliminary objection raised by South Africa was that the dispute did not lie in the jurisdiction of the court and the applicant countries had no *locus standi* to object to South Africa's administrative control over South-West Africa. At that stage the applicants were required to nominate a judge. Mr. Gross asked me whether I would be willing to act as their Judge. I said personally I had no

objection but I shall have to ask my government whether it would allow me to abstain from the UN for the required period. Mr. Gross said he would send his proposal to the two African countries and let me know their reaction before I seek government of Pakistan's permission. As the session of the Assembly started, the question of South-West Africa's independence was on the agenda. I informed the Pakistan delegation that since I was likely to be appointed as a judge in the case before the World Court, it would be but appropriate that when consultations are held on the independence of South-West Africa, I should not form part of the delegation.

The issue came up for discussion in the fourth committee of the Assembly. Dr. Waqar Ahmed Hamdani explained Pakistan's viewpoint in the committee. Meanwhile, Dr. Gross informed me that Liberia and Abyssinia both had approved my appointment and I should seek permission of my government to go to The Hague for the duration of the proceedings. On a reference to the ministry of foreign affairs, the government's approval was received. I informed Mr. Gross and, as far as I could make out, South Africa had also not objected to my nomination.

After some time I received a letter from the president of the court Judge Venarsky, saying in essence, that my erstwhile colleagues were greatly delighted on my being with them once again as a judge on behalf of the two African countries. Some of them had however requested him to draw my attention to the speeches of Dr. Waqar Ahmad Hamdani in the fourth committee of the Assembly on the question of South-West Africa and to ask me as to what was my impression on the application of clause 17(2) in the light of the facts and the law. In my reply I explained the facts as briefly recounted above. About the law I said the clause 17(2) reads as follows:

"No member of the court may participate in the decision of any case in which he has previously taken part as Agent, Counsel or Advocate for one of the parties, or as a Member of a National or International Court, or of a Commission of Enquiry, or in any other capacity".

I interpreted it to mean that the participation has to be direct. It did not imply that if any one member of a delegation had participated, every member would stand disqualified under the said clause. Secondly, participation in a case before the court did not imply that he should have participated in any of the issues before the court in any other organisation. Since I had not taken part in the discussion of these issues anywhere, the clause did not apply to me. If the speeches of Dr. Hamdani were to be interpreted to apply to me under the said clause, it would also hit half a dozen members of the World Court. Then I went on to explain that the indirect participation of six judges in these issues was equal or more but not less than mine.

The president's letter in reply said that having considered my viewpoint the court had decided that it should be left to me whether I wanted to act as a judge or not. In a prompt reply, I said that the court should have ruled on the point as the difficulty in leaving it to me whether to refuse to participate or, if I were to hold that notwithstanding the stand of some among the judges my participation would be in violation of clause 17(2), I were to decide it did not apply to me, hence I was qualified to participate. In this kind of dilemma, I informed the president of the court, I would not like to participate.

The Assembly's 16th session, like the previous five or six sessions, continued in January after the Christmas vacations. As soon as it ended, speculations started about the presidency of the next session. The thinking among the Afro-Asian countries was that, as agreed at the time of the last election, Ali Salstro Umijoyo will be their candidate. However, early in 1962 a communication was received from Indonesia that he could not be spared for the post.

At that stage I got the Arab delegates together and advised them that since Afro-Asians constituted nearly one-half of the total number of members and soon would be in majority, it would be but just and appropriate that they should be entitled to half of the presidency terms. Nevertheless, we should not lay claim to the post as the current term of the president from Africa ends but

enter into an understanding with the other countries that the president elected every second year would be the one who is supported by the Afro-Asian bloc.

Everybody agreed to this arrangement and decided to propose to the American countries that for the ensuing year we would support the Argentinean ambassador Amadev providing every second year they commit to support the candidate sponsored by us.

. Ambassador Amadev was a great gentleman and was commended by one and all for steering the first committee of the sixteenth session. The Latin American delegates and ambassador Amadev agreed to the proposal. But hardly a month after the agreement there was a revolution in Argentina and government was overturned. The new government requested ambassador Amadev to continue at his UN post but he resigned and returned to Argentina. We had yet to enter into substantive discussions with the Latin American group about the next candidate when Prof. Mla Lasekra, ambassador of Ceylon, announced his candidature. He had been at the UN only for a few months. Earlier he was his country's envoy at Moscow, hence on friendly terms with the East European nations and, probably, had also secured their support. As Ceylon traditionally had close relations with Asia's Buddhist nations it could depend on their support as well. Right from start he had let it be known that 25 to 30 countries were committed to support him. According to some of his supporters even if another candidate were to come up half of the remaining lot would also support him and he would lead by 25 to 30 votes. His success, they thought, was assured.

Kashmir dispute comes up again in the Security Council: In those very days I was instructed by the government of Pakistan to take necessary steps to bring the Kashmir dispute before the Security Council. The first and most difficult hurdle to cross was to persuade the permanent members of the council to agree to convene the session. Of the support of five permanent members, the Russian support could not be expected as they always did what Mr. Krishna Menon desired. Their attitude also influenced the minds of the others members

as they well knew that even if a reasonable proposal were to emerge out of the debate it would be vetoed by Russia. Why, therefore, debate the issue at all? It was pointless to persuade the Chinese delegate for he always went by the American advice as if his foot was in the larger foot of the American elephant. At the first stage, therefore, America, Britain and France were to be convinced. The first delegate from the US at that time was governor Adlai Stevenson, Sir Patrick Dean from Britain and ambassador Roger Saido from France. From the American delegation, Ambassador Plimpton mostly dealt with the Kashmir dispute. I was on friendly terms with all of them.

***Meeting with the delegates for convening the session*:** As I spoke to ambassador Plimpton he said he shall have to seek instruction from the department of state. Nothing better was expected on the first contact but disappointing was his indifferent attitude giving me the impression that he wouldn't easily agree. Sir Patrick Dean showed full interest, enquired about the prevalent conditions and expected no problem from London. Ambassador Saido, as always, showed interest, expressed sympathy and assured support.

The point at issue at this stage was of only convening the session of the council and not of exchanging views on one or the other proposal. I also went to see the non-permanent members, they were inclined to agree. Some days later when I met ambassador Plimpton again, he enquired about the Russian attitude. I said it was no secret, Russia would oppose convening of the session but it was a matter of regulation. If seven members of the council (the number of members then was eleven) favour convening of a session, no permanent member can stop it. What would be the gain in convening the session if Russia were to oppose every proposal, he asked. My answer was if ten members support a proposal and Russia were to veto it, India's unreasonably stubborn attitude would stand exposed to the world. Secondly, the proposal shall have to be so worded that despite the Russian opposition, some headway is made.

After a few days I saw Mr. Plimpton again to find out whether he had received any instructions from Washington. He said the state department was of the view that since convening a session of the council was unlikely to yield any result, better the two countries negotiate to explore a solution. I told him that in direct negotiations India always took a categorical stand that the ceasefire line with some suitable adjustments should be declared permanent boundary which Pakistan was not at all willing to accept. Ambassador Plimpton said "what more can you expect?" That brought home to me the futility of the effort.

The same day I asked to see governor Adlai Stevenson and suggested that ambassador Plimpton should also be present. The meeting was fixed for the next day. There I was told that Mr. Plimpton wouldn't be attending as he had gone out of New York but governor Stevenson was ready to see me. I had known him as a friend since long. He was a thorough gentleman of high moral values. We were on informal terms with each other. During the meeting I told him that I had requested for Mr. Plimpton's presence because a day earlier he had told me what more could I expect than the ceasefire line being converted into a permanent boundary. I was there to seek a clarification, whether I had heard him right and if so whether it was his personal opinion or the standpoint of the US administration. "The purpose of my meeting with you", I elaborated, was to confirm whether the American government was averse to the Kashmir issue being debated in the security council."

Governor Stevenson replied: "You must have heard right what Mr. Plimpton said. I just cannot imagine you misunderstanding such issues. But it must be ambassador Plimpton's personal view. It is not the standpoint of the administration. We have no hesitation at all in convening a session of the security council. The very wish of the government of Pakistan binds us to act as it is wished. I am sorry for the worry caused to you."

The first hurdle overcome, the session was convened. I was satisfied to note that at no stage America acted indifferently. No worthwhile action,

however, could be expected in the face of India's intransigence – backed by Russia.

***Summary of Indian standpoint*:** The Indian standpoint as it emerged from the debate in the Security Council can be summed up as follows:

1. The Maharaja of Kashmir had acceded to India making the state an integral part of the Indian Union.

2. By instigating the tribal hordes (to invade the state), Pakistan had committed aggression against India.

3. The prime minister of India had never used the term "plebiscite" in relation to Kashmir.

4. Since Pakistan had not fulfilled its commitment to withdraw its troops from the state, as the Kashmir Commission had proposed, it had lost the right to demand a referendum.

5. In any case, the conditions had changed over a long time since the crisis arose.

6. The parliament having declared Kashmir an integral part of India, the dispute stands resolved and no longer existed.

***Rebuttal of Indian standpoint*:** Replies to these objections though given repeatedly were given once again. The members of the council knew well all were baseless. Krishna Menon also knew it equally well. For instance, while answering the third objection I read out the statements of Pundit Jawaharlal Nehru from India's official documents in which he had conceded the right of self-determination as a solution to the Kashmir dispute.

Quoting some more examples I submitted that not only the members of the council even my worthy opponent would know that the prime minister of India had repeatedly used the term "plebiscite" in the context of Kashmir.

Notwithstanding all that in his counter reply, Mr. Menon again contended that his prime minister had never used this term for Kashmir. Menon could very well make out that the examples quoted by me had convinced the members of the council that his earlier statement was incorrect. But instead of conceding, or at last keeping quiet, he kept repeating what he had alleged already. May be, he thought, a wrong thing said time and again made some among the members believe it was correct.

Offer to take Kashmir Commission's proposals to the World Court: Having effectively answered all the points raised by Mr. Menon, I requested the members of the council to consider the two proposals of the Kashmir commission that were accepted both by Pakistan and India on August 13, 1948 and January 5, 1949. The Indian stand was that it was for Pakistan to implement them, Pakistan's view was that the onus lay on India and the objections were to be settled through a judicial procedure. "On behalf of the government of Pakistan", I said, "I propose that India should agree that the security council may seek the advice of the World Court as to the responsibility of each government, in the current circumstances, in implementing the proposals of the Kashmir commission after considering their oral and written objections and arguments. And the two sides should bind themselves to go by the court's advice. Pakistan is amenable and willing to settle the dispute in this manner. Let India also agree. The dispute, thus, would be resolved peacefully."

India did not agree. Finally, the five permanent members jointly proposed that the two sides should negotiate to settle the dispute in the light of the universally accepted principles. India did not agree even to that and Russia vetoed it.

Complaint of the Indian prime minister and true facts: India was the first to bring the Kashmir dispute before the security council in January 1948. Once the members of the council, after hearing the two sides, refused to fall in the trap laid by India and, instead, showed inclination to settle the dispute on those very principles that were contained in the statements of the parties, India started retracting from the principles it had itself set out.

In those days India's prime minister often complained to me that by "spinning lies" and "guile" I had blackened his shinning face in the international circles. Lie and cunning cannot black out the light of truth. If the Indian prime minister's political face had dirtied, it was the dirt he himself had raked up.

***My nomination for the presidentship of the 17th session of the General Assembly*:** When Prof Mla Laskra of Ceylon declared himself a candidate for the presidentship of the general assembly, some delegates from the western nations went round suggesting that there should be no objection to an Asian seeking presidentship of the next session, Al-Syed Abdul Momin al-Rifai, Jordan's ambassador at the UN, then came up to see me. He said that my proposal that it wouldn't be proper for an Asian to be a candidate for the presidentship immediately after an African president was correct. Everyone endorsed it but it made no headway after ambassador Amadiv resigned to leave the UN.

He said that he had since spoken to some Afro-Asian members individually and found them disinclined to support Prof. Mla Laskra and he wished to sponsor another distinguished Asian. "Most among them look up to you," he said, "and have deputed me to persuade you to be the candidate." I tried to excuse myself. He wouldn't agree and left saying he would come back after further consultations with the Afro-Asian members.

After a few days he said there was no room for me to refuse as the majority was not prepared to accept Prof. Mla Laskra and some other Asian delegates were also poised to throw their hats in the ring. The majority of the delegates being in my favour I should quickly make up my mind so that they may

start canvassing. He assured me that I wouldn't have to exert at all. Finally, I agreed to ask my government. The response from the government was that if the circumstances were conducive I must announce my candidature. I went by the direction of the government. Prof Mla Laskra did not change his mind but no other candidate came forth. The contest was restricted between two of us.

Representing Pakistan in the independence celebration of Trinidad: During that period I was directed by the government to represent Pakistan in the independence day celebrations of Trinidad and Tobago. I took along Arshaduz Zaman (he was ministry of information's representative in the mission) as my secretary. Trinidad itself is not a large island and nearby Tobago is even smaller. However, it organised splendid festivities spread over eight days. Trinidad is a picturesque island. Tobago is so humid as to be suffocating.

In the capital, Port of Spain, the guests were put up in a newly-built luxurious Hilton hotel which appeared suspended by the side of a mountain with its upper-most story at the road level. It had eight to ten floors of guest rooms. To get to one's bedroom from the lounges the 'down', and not the usual 'up', button of the lift had to be pressed. Mistakenly pressing the wrong button some time I found myself landing at the tenth floor instead of the road level. For this very peculiar feature the hotel had come to be known as "Upside Down Hotel". Windows of bedrooms opened on a picturesque valley. Cuisine was excellent. A car was provided to every delegate and another to his secretary. A security officer and a protocol officer were on constant duty. The former stood on guard outside the room through the night.

Two ministers of the party then in power were Muslims. The Muslim population was of Indian descent – some of the third generation. The inhabitants having forgotten their own tongue spoke rudimentary English. My security officer told me that his name was Anwar Ali and he was seventh among 12 brothers and sisters. Seeing me puzzled, he disclosed that though his father was not yet 55 years of age he had 52 grandchildren. Arshad Zaman told me that the

Muslim chauffeur of his official car was 35 years' old and had eight children. On the return journey a young Christian municipal officer sitting next to him told me that he was one of the 12 brothers and sisters.

Anwar Ali was an able and alert young man but knew little about his faith. One of his brothers, a policeman in a nearby island, had converted to Christianity. I spoke to the director of general services in the UN to get him a job in the field service of the organisation and he was posted to Jordan. He married there, learnt Arabic and got acquainted with his religion as well.

***Lecture on Islam at Islamic Association of Trinidad*:** At the instance of Maulvi Kamaluddin who was a minister of Trinidad government, the Islamic Association invited me to lunch and to deliver a lecture on Islam.

***Trinidad's prime minister and governor general of Chinese Origin*:** I had a meeting with Mr. Williams, prime minister of Trinidad, a very competent man, and also called on the governor general, Chinese by origin, a courteous and intelligent man whom everyone held in high regard. In an island inhabited by people of every race, colour and religion, it was a good fortune of the people to have a head of state like him. Arshad Zaman and I came back from the journey in a cheerful mood.

As with every passing day it became obvious that the responsibility of presiding over the seventeenth session of the general assembly would fall on my shoulders, Dr. Hamdani mentioned to me that ambassador Euost (he was the third member of the US delegation) had asked him whether Pakistan would bring the Kashmir issue to the general assembly for discussion. Only then, he said, the US would decide whom to support for the presidency. I told him not to reply to him, I would myself. After some days when he came to a reception at our mission. I told him that till then I had received no instructions from my government, but I shall have to act promptly when I do. I told him that at the time of voting for the presidency, he may assume that the issue will be debated in the general assembly.

If the assumption proved correct, it should cause him no worry, and if not, it would pose no problem. Hearing my reply, the ambassador smiled embarrassingly. His question to Dr. Hamdani had made me wonder how simple these folk are and consider others even simpler.

Election of the president of the assembly in the 1962 session: Under the rules of the UN, the annual session of the general assembly ordinarily commences on the third Tuesday of the month of September at three in the afternoon. The 1962 session started on the appointed day. For the presidency, 76 countries voted for me, 27 for Prof. Mla Laskar. Four ballot papers on which 'Pakistan' was written instead of my name were not counted and thus my vote was reduced to 72. In the election held in the Assembly in some the name of the country and in others the name of the candidate has to be written. In the presidential elections, the name of the candidate has to be written for the president but of the country for the vice presidents. If this difference is not clearly explained by the outgoing president, members can go wrong and wrongly marked ballots are excluded from the count. During my presidency I took special care to explain it. Resultantly in the ballots held during the seventeenth session not a single vote was rejected.

No sooner the ballot is held the elected delegate occupies the presidential chair and proceeds with the election of committee chairmen. After their election, the general committee of the Assembly is formed that consists of the president of the Assembly, 19 vice-presidents and seven chairmen of the committees. The committee arranges the agenda of the session and assigns the subjects included in the agenda to various committees. The committee can also recommend any subject for discussion in the Assembly without going through the subject committee. The report of the general committee is placed before the Assembly for final approval of the agenda. Any point raised in the assembly first goes to the general committee and then to the Assembly for a decision on its report. By now it is a firmly established tradition that no permanent member of the Security

Council, i.e. America, Russia, Britain, France and China, is elected president of the Assembly. A vice president from each permanent member country is, however, necessarily elected to give them representation in the general committee.

Humble prayers in the divine court for performing duties of the office: The assistant secretary in charge of the general assembly affairs in the UN was Mr. Andrew Cordier who had been working in that capacity from the very inception of the organisation. At the close of the sixteenth session he had resigned to join the Columbia University as dean of the department of international affairs. His seat was to the left of the president where he could be readily consulted. Because of his knowledge, ability and experience he had attained a status of high distinction and was a source of strength to the president. He had his finger on the pulse of the assembly and could foresee trouble in the making and advise the president before hand on the course to be followed. I was to be the first president deprived of his advice. That was a cause of immense anxiety to me as I had not studied the rules and regulations of the Assembly in depth which the president had to apply at every step. Unlike other presidents before me, I had not headed a committee either. The chairmanship of the first committee was, in fact, considered a prelude to the Assembly presidency. I didn't have that experience either.

It was in such a predicament that I knelt before my Creator to beseech Him to enable me to overcome the difficulties that I was sure to encounter in discharging duties of the office for only He was aware of my failings and only He could guide me at every stage.

"Kill the cat on the first day": As the agenda of the seventeenth session was circulated, the members and the pressmen could guess the trend of the proceedings. In the very first meeting as the Chinese delegate started the speech, the delegate from Russia, Mr. Samionov, rose to complain that he could hear

only humming and not what the delegate from China had to say. Assuming that he was pointing out a defect in the public address system, I directed the Assembly staff to attend to it.

Dr. Samionov, however, kept complaining. This gentleman wasn't a member of the Soviet delegation, he had come especially from Moscow. Very likely either he was a member of the presidium of the communist party or cabinet minister. A staff member came up again to whisper into my ear that there was no defect in the system. The Russian delegate, he said, perhaps referred to the Chinese delegate's speech itself as humming because he did not recognise his credentials.

At that point I told the Soviet delegate that he was well acquainted with the composition of the general committee and requested him to pay attention to its proceedings and not waste his own and committee's time in matters irrelevant. Then I saw ambassador Morozov who was Russia's deputy permanent representative lean forward from his back seat to whisper to Mr. Samianov. At the end of the session of the committee he came to me and extended his hand which I shook warmly. He apologised to me through his interpreter. As I said a few words to reassure him, my heart overflowed with gratitude to Allah for had he persisted in his attitude during the proceedings, he and his colleagues could have staged a walkout and the press played it up through headlines of their own choosing. May be Ambassador Mozorov had advised him not to test his humour on the president.

Toast of health proposed by the Russian delegate:Mr. Samianov was also a member of the Soviet delegation to the next year's session. He warmly shook my hand. Both of us were invited to lunch by a delegate from East Europe. After lunch the host offered the usual toast of health. After him Mr. Samianov got up to say that he also wished to propose a toast for the health and prosperity of a man of high distinction. He said he would reveal his name after he had recounted some of this qualities.

He launched himself on a eulogy. I cannot say about the other guests but my guess was he would name Khruschev when he said: "The man about whose qualities I have spoken is Zafrulla Khan, president of the last year's assembly session." The members must have been taken by surprise though they responded to the toast with customary zeal and a round of clapping, that provided yet another occasion to me to bow my head in submission to Allah for His graciousness. Mr. Samianov's intention, perhaps, was no more than to further apologise for the previous year's '"humming" but the generosity with which he expressed it was a testimony to his noble character.

Punctuality in the Assembly Sessions: On the inauguration of the Assembly session, on the very first day I requested the delegates that if they were to go by the timing fixed for the meetings of the Assembly and its committees (which they had endorsed by approving the report of the general committee), the completion of the agenda would be assured.

It was customary for the presidents of the previous sessions to wait for ten minutes for the delegates to turn up. In course of time ten minutes became 40 minutes as the delegates lingered in the lounge to smoke or to gossip. The time fixed for the morning session was 10:30 but the proceedings wouldn't begin till 11 or even beyond.

I started the proceedings at the appointed time. As the delegates saw that the president insisted on punctuality they, too, started coming on time. On the first day of the session it rained and attendance was particularly thin. Yet I started the proceedings on time. In the afternoon session I announced that the attendance in the morning session was less than expected but the approaching icy winds and snow must not delay the proceedings. All that they had to do, I said, was to leave their homes or offices a bit early and added: "Just as by electing a 70-year old man as the first servant of the Assembly you rightly expected him to be vigilant at his job, he also expected of you, the zestful youth, to cooperate with him. I arrive at my Pakistan office at 7:30 and leave from there in time to reach

the president's office at 10:15. What is easy for me to do should be, if at all, easier for you". I said all that with a smile and the delegates heard it smiling but no occasion arose to repeat it.

Taking care of visitors' convenience: For the use of the president there is a small chamber right behind the podium. His regular and larger office is on the 38th floor of the building which is used for meeting with senior officials and receiving visitors. On being elected, I was shown that room for office work before going to the session. Being a man of simple habit who is averse to such ceremonies, it occurred to me that by sitting in a high tower I would deny myself the opportunity of exchanging views with the delegates and to get to know their feelings. I let it be known that I would come to the assembly the same way as I had been doing and use the small room attached to the hall would meet my needs for office work and the callers wouldn't have to waste ten minutes climbing up to the 38th floor to see me. I also saw the members of my staff there to save them the trouble of going up. Thus in the whole of my tenure, the magnificent large suit on the 38th floor lay vacant.

Advice for the convenience of the delegates:In every session the president, of the Assembly and secretary general of the UN jointly host a grand reception for the delegates and share the expenses. Every Tuesday, the president joins the chairmen of the committees and their staff at lunch in the UN cafeteria to hold consultations. I advised the chairmen to prepare charts showing the distribution of work over a week and those found lagging may be told to hold meetings in the evening to finish the week's work. The advice had its effect. The last session of the Assembly is required to be held in the evening and goes on till late at night, but a distinguishing feature of the seventeenth session was that no meeting was required to be called on Saturday morning nor in the evening of any weekday except for the last day. It worked to the convenience of the delegates

who found ample time to devote to the questions relating to the agenda and other matters.

Annual reception for the press correspondents accredited to the un Assembly:It is customary for the president to invite 15 to 20 out of the lot of press correspondents accredited to the Assembly every alternate Thursday to keep the relationship cordial. The press correspondents reciprocate by holding a dinner to honour the president once in a session. It is a gala occasion marked by music, dance and festivity that goes on well past midnight.

One day my secretary asked me whether a certain day suggested by the president of the UN correspondents association for the gala dinner would suit me. I told her to convey it to them that I see no evening suitable for this occasion. She was a bit puzzled but transmitted my message. The next day the president of the association came to see me and asked me whether it was correct that I could spare no evening for their reception. On being told that I had indeed said that he said the reception is held every year and every president attends for it is in his honour alone. I told him I did not feel myself bound by my predecessors. He wished to know the reason for not accepting their invitation. I told him the reception in all its manifestations represented the values and culture of the west which held no fascination for me, in fact some activities weighed heavy on my mind even if I were not to participate personally. So I saw no reason to sacrifice evening's, other routine and prayers only to be present at such an occasion. He asked me whether I attended the evening receptions. My reply was I indeed do but beg leave of the host to return before ten o'clock. He said the Association would do likewise and as the dinner ends he would propose the toast and I could leave soon after replying to it. In such a situation, I said, I would gladly join.

Going to bed early and the blessings of a sound sleep:As I arrived in the assembly one morning I found some changes in the agenda that I had earlier set. Mr. Malania told me that a slight change had been made at the request of a

delegate. Why he had not informed me, I asked him. He said it was late at night and he knew of my habit of going to bed early and, at the same time, he felt confident that were the delegates to request, very likely, I would have agreed. I told him he was right on both counts but wrong in principle. Though I retire early, I told him, and he had to work till late into the night which I appreciate greatly but telephone is always next to my bed and you are free to call me at any hour of the night. I wouldn't feel disturbed nor would you ever feel from my response that I had woken up from sleep. And within half a minute I would be back in deep slumber".

Cooperation from Russia and other East European Nations: Russia and other East European countries had supported Prof. Mla Laskera in the presidential election. In fact, it was relying on their support that he had declared his candidature. Yet all those countries extended full cooperation to me. The head of the Soviet mission at the UN, ambassador Zoren was a very dignified man. Whenever he came across me in the corridors of the UN building he would greet me courteously and some time warmly holding my both hands would say "my respected president, my impartial president".

Invitation from the Soviet foreign minister to visit Russia: I had known foreign minister Gromyko since long. In New York for the seventeenth session he came to my room along with ambassador Zorin. During the conversation he asked me whether I ever had a chance to visit Russia. I told him not in the recent past but four years before the revolution when I was studying in London I had been to St. Petersburg in the centennial celebration year of the Romanov dynasty. "That was half a century ago" he said.

I thanked him and promised to visit as soon as an opportunity came my way. Ambassador Zorin came again after a few days to remind me of the Gromyko's invitation as before leaving, the minister had told him he must after

the session ends. I said, it will be too cold for me to travel. He said I could visit in spring or in summer, suiting my convenience.

Invitation from North Africa's Muslim countries: In the course of the seventeenth session, five new countries became members of the UN. Particularly gratifying for all of us was Algeria winning independence and joining the UN. A reception that the Algerian president Ahmed Ben Bela held to mark the occasion was dedicated to me. Foreign minister Mohammad Ali Bogra who then happened to be in New York also attended the reception. There Mr. Ben Bela in a friendly way complained to Mr. Bogra that "Zafrulla had played a pivotal role in the freedom struggle of North Africa's Muslim countries – Libya, Tunisia, Algeria, Morocco – and is very dear to all of us. We greatly desire that he should visit us but he has not agreed so far." The foreign minister asked me why I wasn't going. I said I am a servant of Pakistan government and cannot move out of New York without the government's permission. He said he would see to it that I go.

***Algeria's first foreign minister Mohammad Khamesti*:** Algeria's first foreign minister, Mohammad Khamesti, was a patriotic young man of gentle disposition. He had suffered rigours of prison in the service of his country. He had spent long years in the French jails for his role in organising the Algerian youth studying in France. On being introduced to me he showed great affection and soon we became fast friends. After president Ben Bela's departure he stayed on in New York to lead the Algerian delegation. He knew little English and was keen to learn it fast to meet the demands of his job. Since he was weak in English and I in French he called over a colleague to act as interpreter but hardly an occasion arose for interpretation. Not knowing the language became an asset instead of hindrance. Some time words hinder expression of sentiments. Between us the lack of words, instead, dispelled shyness and strangeness. At the

dining table he made me sit next to him and firmly held my left hand and would not let the grip loosen.

To look at he was a slim, fragile man but his grip was iron-like, dinner was served, I moved my hand to free his right hand but he held it all the more firmly and kept talking with a smile playing on his face though parts of his conversation related to his agony in French prisons. Elaborating its further he said: "Till a few days ago you were not even aware of my existence but I am your devotee and admirer since my student days. Reading extracts from your speeches I could hardly ever imagine that one day I would meet such a courageous and illustrious man. Now that an opportunity had come my way, I am overjoyed and you seem to reciprocate my sincere feelings."

While I kept eating with my right hand, though listening to him attentively, he was busy talking occasionally taking a bit with his left hand. For his slim physique, perhaps, he did not need to eat much.

To dampen the surging sea of emotions I said to him: "Mohammad, without seeing me, you were being sincere to the image that my speeches had conjured up. We have known each other but for a few days and you stand by the image of your own making. Once you come to know of my feelings and weaknesses, imagination must give way to reality and dampen your fervour. On the contrary, whatever attachment I have with you is based on your qualities that I have myself observed and experienced. Therefore, my sincerity would be lasting."

He had a hearty laugh and said: "I know you are a very able lawyer and your reasoning is nothing but legal, now tell me will you come to our country?" I said "now that is an order of your president and also a direction of my foreign minister, God willing an occasion will soon arise." He saw me off most affectionately and before leaving New York called again to say I must visit Algeria soonest possible.

Meeting with President Kennedy: I was on friendly terms with Mr. Andrew Cosy when he was America's consul general in Lahore. In 1962 he was director of senior diplomats seminar at Washington. In April of a that year he wished me to speak at the seminar in November to which I agreed. The leader of the American delegation in the UN told me that if I happen to go to Washington during the presidency I must see the president of the United States. When in Washington, I went to the White House to see president Kennedy. He talked to me informally. Since the meeting was not for a set purpose, a variety of topics came up for discussion. Some time before that India and China had a skirmish on their common border. Referring to that he said in a way he was grateful to China for ridding us of Mr. Krishna Menon. I said "Mr. President, Krishna Menon also deserves just treatment." Somewhat surprised he said: "why do you say that?" I say so, I replied, "because Mr. Menon is not a man bad by nature. The use of harsh language by him is deliberate and well thought-out." He asked me how could I have known it.

I explained to Mr. Kennedy: "I have been dealing with him and could say it on the basis of personal experience that when he plays host he extends utmost hospitality, guests are served properly, he talks to them most affectionately and inquires about their well-being." "Why must he assume another garb?" Mr. Kennedy asked and I replied "he had sensed some American weaknesses and exploits them to the advantage of his country". Taken aback a bit he asked smilingly "what are those weaknesses?" "Foremost reason is that you relish adverse criticism", was my reply. "That is not correct for we hunger for love,." He remarked. I said "that is your second weakness. Mr. Menon knows that you seek to buy love, so at every stage he puts up his price." Mr. Kennedy had a hearty laugh and said "you must tell this to our senior diplomats whom you are addressing in the evening."

Kashmir dispute comes up in a meeting with President Kennedy: That topic over, assuming a serious demeanour, President Kennedy said: "Zafrulla, I

think there has been no occasion more befitting in the last 15 years than is now for the settlement of the Kashmir dispute. Surely, you know that governor Harryman and Britain's Duncan Sandys will be soon going to India. I have impressed on Harryman to make every possible effort to find a solution to this dispute."

"Mr. President, this dispute will move towards a solution only when prime minister Nehru is inclined to resolve it," I said.

"It would be governor Harryman's effort to bring the parties round to a settlement," Kennedy said.

Governor Harryman: Over the years, I happened to see Governor Harryman on a number of occasions but did not see even a trace of sympathy in him for Pakistan. He was a cold man who hardly ever exhibited enthusiasm for any cause. Only such assignments were ordinarily entrusted to him that required cautious and slow handling and were devoid of emotions. By a sheer coincidence, as the president came to the ante chamber to see me off governor Harryman was waiting there to see him. Turning to him Mr. Kennedy said "Zafrulla told me a few moments ago that the time is now ripe for the settlement of Kashmir dispute, you should be doing your best about it." Mr. Harryman's indifferent response was that he would talk to prime minister Nehru and president Ayub about it. I intervened to say: "Governor, mere talking would make no headway. Prime minister Nehru's indifference is causing worry to president Ayub. Please persuade him to explore an early and practicable solution of the dispute."

Mr. Harryman just shook his head with a sickly smile. That was an indication to me that in his hands Kashmir dispute will not move forward. Thanking the President, I left.

Mr. John Rockfeller's optimism: A few days after that I was invited by Mr. and Mrs. Rockfeller to lunch. He too looked worried about the Kashmir

dispute. Both husband and wife were counted among gullible Americans. Their solution was simple. This is what he had to say: "Presently, confrontation with China is causing anxiety to India. If in this difficult hour, president Ayub were to take a step which would assure the Indians and more particularly Nehru of Pakistan's sympathy and friendship, one could expect a helpful change in his attitude in resolving the Kashmir and other disputes. His optimism brought to my mind Hafiz Shirazi's

معذوردارمت کہ تُو اُورانہ دیدہ ای

[I do not blame you for you do not know him]

Instances of Mr. Krishna Menon's misbehaviour recounted by Mr. Rockefeller: Talking of India, Krishna Menon inevitably came up. Mrs. Rockefeller said that they had invited Krishna Menon to lunch. As he arrived, we received him at the door. I apologised to him for coming all the way from the suburbs. "Indeed it was a long way," was his comment. Then she recalled another instance of the previous year when he was invited to a Thanks-Giving Day to their New York home. As she thanked him for joining them, his reply was: "what have you to be thankful for?"

A special feature of the seventeenth session: Some weeks after the commencement of the seventeenth session it occurred to me that no delegate had raised a question of rules. It was a source of satisfaction for me because a lot of time is wasted in debating such questions and, secondly, it is also construed as a criticism of the performance of the Assembly president. It was quite common in the past for three or four such questions to be raised in each meeting. With the passage of time, I thought may be no question is at all asked. And indeed it so happened. Total absence of objections remained a distinctive feature of the session.

***President Ayub's address to the assembly*:** Field Marshal Ayub Khan who was then President of Pakistan addressed the assembly during his visit to America.

End of the seventeenth session: As the general committee sets out the agenda of the session it also proposes the date on which it may conclude. Normally, it is 21 to 23 December. For the past seven years no session had ended at the appointed time and continued after the Christmas holidays. As the closing date approached, speculations started about the date on which the session would be reconvened after Christmas. I would parry all questions on the subject. Two committees finished business a week ahead of the last date and by the middle of the last week some other committees also finished theirs. That caused a stir in the press circles. The committees finishing their work before Christmas appeared so unusual to the correspondents that they were not inclined to believe it. Therefore when a day before the closing, the last item "president's announcement on the conclusion of the session" figured in the agenda, the pressmen and delegates alike were taken aback as to how it had come about. Nobody was prepared to believe that the session would end a day before the last date. If at all, it was expected to continue till midnight of the last day. It happened the way nobody had ever expected.

***Professor Mla Lasekera's Noble behaviour*:** At the conclusion of the agenda it was customary for a delegate to speak on behalf of each group of eight or ten countries., The best part of the speeches was devoted to the appreciation of the performance of the president and the assembly staff. This time round it was no different but in an atmosphere of contentment. The general feeling was that the session had come to a successful conclusion by the right use of time in a spirit of mutual cooperation. Whatever was said about me was not a mere formality, but a sincere demonstration of affection.

It is customary for a delegate speaking for the first time to congratulate the president on his election. Prof. Mla Laskera out of sheer goodness said about me that if he was defeated it was because he happened to contest "against a man who is widely respected in the United Nations. Since I would be soon leaving to take up another assignment, I must express my thoughts about the UN and what I had learnt during my stay".

Then he briefly commented on various aspects of the session. Concluding he said. "But above everything else I had a chance to meet and know a man" and went on to say words of praise for me that bore testimony to his civility but made it impossible for me to recognise myself in the picture he painted. Some delegates were waiting to speak when the Russian ambassador also sent his name across. The Bulgarian delegate had already spoken for the communist countries, but, seemingly, Mr. Zorin was not satisfied. He once again appreciated the services of the president and his impartiality on behalf of the Eastern Bloc.

As the list of speakers came to an end, I rose intending only to thank the delegates and the staff but the atmosphere prevailing called for more. I emphasised the need for bridging the ever-widening gulf between the rich and poor nations. Overwhelmed by sentiments, my voice became soft and subdued, I was heard with great attention and a hush prevailed in the hall. Having said the last words, as I said good-by to my colleagues, it was as if a dam holding back a surging sea gave in. A crowd of delegates came up to the stage. Embracing, thanking and congratulating me. I was unable to say anything but from my heart rose a cry:

سجدت لك رُوحی و جنانی

[My soul and body lie prostrate before Thee]

Government's direction to visit North and East African countries: The foreign minister telegraphically called me for consultation to Rawalpindi. His

intention, he said, in calling me over was to advise me to visit the east and north African countries as it would strengthen Pakistan's cordial relations with them as the people in power were beholden to me and would be happy to receive me.

Mr. Mohammad Ali Bogra's illness and death: A few days before my arrival in Rawalpindi, the foreign minister suffered heart pain and his physician had totally stopped him from working. Though he wanted a longer meeting, on my own I restricted it to 15 minutes. He assured me that he had fully recovered. That meeting with him turned out to be the last. I had met him for the first time in Ottawa where he was our high commissioner. Later he came to the meetings of the UN general assembly. As ambassador to Washington our meetings became more frequent. He was a very noble and hospitable man. In the very first meeting we became good friends and I always felt indebted to him for his favours.

Somalia: On the way back to New York I went to Mogadishu, capital of Somalia. At that time, the former Chief Secretary of East Pakistan, Mr. Azfar was the UN representative there Mr. M.L. Qureshi was economic adviser to the government. Because of their hard work in safeguarding the rights of Somalia both of them were held in high esteem. That was immensely gratifying for me. I addressed the Somali parliament, visited a number of institutions and held meetings with the prime minister, foreign minister and other leaders. At a dinner, the president of the republic decorated me with the highest medal of the state.

At one time Somalia produced cattle fodder in abundance. The country had vast grazing grounds and milk produced was so abundant that in mixing mortar for construction milk was used instead of water. I was told that lime slackened by milk imparted greater strength to the building. Intense heat gave me bronchitis. An old Italian doctor who came to examine me advised me not to go out when hot winds blow and wear warm woolen clothes. That surprised me a

bit but he insisted such a precaution was necessary. By the time I left Mogadishu for Nairobi the illness was over.

Kenya: In Nairobi I was guest of Pakistan's high commissioner, Sardar Abdul Ghayyur younger brother of Sardar Abdur Rab Nishtar. He and his wife spared no effort to make me feel comfortable. After Mogadishu's heat, rains and cold at the high altitude of Nairobi upgraded the remnants of my bronchitis to influenza.

Mr. Macdonald who had taken over as governor only days earlier also came to see me. He was a nephew of Mr. Ramsay Macdonald who was Prime Ministers of Britain during the Round Table Conference. He invited me to the government house the next day where our conversation centred around the last days before Kenya's independence. I told him that if an experienced and sensible man like him could not resolve the Kenyan riddle, no one else would be able to do it. He said there was no hurdle from Britain, every difficulty was internal, personal or tribal. He was hopeful the outstanding issues would be soon resolved. It was because of his efforts that Kenya won independence sooner than expected.

Meetings with Jomo Kenyatta, Tom Mboya and other Kenyan leaders: In Nairobi I called on prime minister Jomo Kenyatta. He told me that the Ahmadi community was doing useful work there. The representatives of the community had presented to him a copy of the Holy Quran with English translation when he was in prison. He had read it four times in the prison and was then reading for the fifth time. Whenever he sought guidance in matters of principle, he found it in the Quran. I told him about my book on Islam and sent a copy to him from New York. Among the other leaders I met, Tom Mboya looked the ablest.

Sardar Abdul Ghayyur told me that his elder brother, Sardar Abdur Rab Nishtar, always fondly remembered me. Once he (Nishtar) told him that when he was Punjab Governor and suffered a paralytic stroke, Zafrulla incessantly prayed

for him for months. I told Ghayyur: "It is correct, we do not have many able and worthy servants of the nation. Sardar Sahib was very precious. Differences in beliefs notwithstanding our mutual relations were friendly. I genuinely respected him. I heard of his terminal sickness at Karachi on return from The Hague and went to call on him at the hospital. Before I left he held my hand in his both hands for a while and asked me to pray for him. I continuously prayed for him but the Divine verdict was that it was time for him to appear before his Master."

Nairobi is a beautiful city of temperate climate that suits the natives and foreigners alike.

Tanganyika: From Nairobi I had planned to go Darus Salam and on to Tabora, capital of the western region of Taganyika. The place has an Ahmadiyya mission. At that time, some among the Italians imprisoned there were architects, they offered their services willingly and sincerely to build a beautiful mosque at a modest cost.

Sheikh Amri Obeidi: The commissioner of the western region at that time was an Ahmadi, Sheikh Amri Obeidi. He persuaded me to spare two days for a visit to Tabora as I was very eager to see him. Being a class-fellow of the President of Tanzania, Julius Nyrere, he was also his fast friend. For a year he pursued religious studies at Rabwah, Pakistan and on return took up residence in Darus Salam's mission house and devoted his life to the service of humanity setting exemplary standards at a young age. As a scholar of Arabic and English he was highly respected in the society. He was the first African to be elected mayor and that too at a young age. He was re-elected for a second term but the exalted status did not change his lifestyle which remained as simple as ever. After independence he was elected unopposed to the national parliament and later was appointed commissioner of the western region.

***Stay with president Nyrere*:** The three-day stay in Darus Salam was very interesting. I delivered a few speeches but more rewarding was the time spent with president Nyrere and Sheikh Obeidi. Darus Salam is hot and humid, but the State House is vast and airy with thick walls and high roofs, hence cool. President Nyrere is an intelligent and able politician who can be tough or polite as the occasion demands. From the institutions I visited, I could make out that Tanganyka was finding solutions for its problems with prudence and determination. President Nyrere extended special hospitality. He is a man of simple nature – believing in no formality or sophistry. He told me that when he and his wife first came to occupy the house, they found it difficult to find his way to the various lounges and bedrooms. Therefore, they decided to use only two rooms and furnish them to suit their bare needs. Those two rooms were really their home and the rest was a guest house where they also felt like guests.

Sheikh Amri Obeidi asked me one day whether being a mayor and then a commissioner amounted to violating his original commitment to the cause of faith. He said he himself was seeking Divine guidance and had also seen a dream but before narrating it to me he wanted to know my opinion. I told him to search his conscience whether by honestly discharging the duties of his worldly office in the service of humanity he was also serving his religious mission, he should have no worry. However, if he found the two in conflict and glamour of the office overwhelming, he should think afresh. Then he narrated his dream in which he had seen president Nyrere, going on a road as he stood by along with some other people. The president looked at him, said nothing but gave him a pencil.

I could interpret the dream but told him only this much that it bode well and he would soon see the result. I was on the way back to New York when in the plane I saw a headline in the London Times about a change in Tanganyika's cabinet. Recalling Amri Obeidi's dream I went through its contents to find that he was appointed minister for justice. I wrote a congratulatory letter to him saying that is what his dream was about. He replied that a friend in Gambia had also interpreted it likewise but his own feeling was that he would get an

opportunity to promote the Swahili language, and that also had come true for the president had told him that there being not much to do in the ministry, he should also work for the Swahili language.

Sheikh Amri Obeidi was leader of the Tanzanian delegation to the 1st session of the General Assembly. After that he accompanied president Nyrere to Cairo for a conference of the heads of African States. He fell sick there President Nyrere sent him to Bonn for treatment. So complex were the symptoms that this ailment could not be precisely diagnosed. He wrote two letters to me from Bonn. Before getting my reply to his second letter, Tanzania's bright sun had set before his time:

گرچہ جنسِ نیکواں ایں چرخِ بسیار آورد
کم بزاید مادرے بایں صفاؤ تیتم
اے خدا بر تربتِ او بارشِ رحمت ببار
داخلش کن از کمالِ فضل در بیت النعیم

[Many a noble soul is gifted by nature
Rare is for a mother to give birth to a gem like this one
O my Lord! Rain Thy mercy on his grave
And in Your infinite bounty let him enter Your house of blessings]

The respect that Sheikh Amri Obeidi commanded in his own country, in fact throughout East Africa, can be judged by the fact that president Nyrere, Jomo Kenyatta and Dr. Obote, prime minister of Uganda, were among the pall-bearers.

Uganda: For my journey from Darus Salam to Kampala, the government of Tanganyika provided a plane that looked like a flying car of fairy tales but the flight was smooth. Flying over Victoria Falls, the scenery below got me out of a

trance. Suddenly it was cloudy and amid fierce winds came a hailstorm. As hail that struck the roof of the aircraft was like gunfire from the sky. As I beseeched God for mercy and protection, it was amazing to see a tiny aircraft flying without a jolt at full speed. As it began descent, the sky cleared up and the lake came in view, the small fairy plain hugged the earth with serene confidence just as a child leaves his pranks to seek shelter in the lap of his mother.

Kampala's airport is 25 miles away at Entebe where the governor general lived but the parliament was in Kampala. The governor general's secretary and Dr. Lal Din with some other dignitaries were at the airport. The secretary conveyed the governor general's message that though he had arranged for me to stay with him, Dr. Lal Din insisted that I must put up with him – and it was up to me to decide.

While thanking the governor general I sent across a message to say that I had known Dr. Lal Din like a brother for more than half a century and his home would be like my own. The secretary then told me that the governor general's car would be at my disposal and he would be pleased if I were to have dinner with him the next day. At Dr Lal Din's house, I had every possible amenity. The hospitality of his wife and children left nothing to be desired. A constant stream of visitors created a festive atmosphere.

***Meeting with King of Buganda (a province of Uganda) Sir Fredrick Mutsia*:** Uganda was a federation with Buganda as its largest province. Kampala was capital of both. Sir Fredric and his ancestors had long ruled that area. Educated at Cambridge, he was not just the king but also the religious leader of his people, I went to his home about 80 miles from Kampala. Some time before that, the British government had divested him of all power and ordered him to shift to London as a punishment for marrying the real sister of his wife which was against the tribal traditions. Both wives were, however, quite content. Some time later I came across his mother-in-law in Kualalumpur who was an educated and enlightened woman in her own right. She was also quite

content with the relationship but not so the British government. On the other hand, Sir Fredrick considered the stand of the church and the government wholly unreasonable and unjustified. He had embraced Christianity only out of fashion. All his values, notwithstanding the Cambridge degree and Christianity, were centuries-old and tribal. Having two sisters as wives to him conformed to those values. His deportation to England made the tribe extremely restive causing serious problems for the government. As the unrest grew, he was allowed to return to his kingdom and his powers reinstated.

Going by the African standards, Sir Fredric was an enlightened ruler. He established a parliament for his kingdom. The houses of parliament built on a hill were magnificent fitted with every amenity. I had an occasion to visit the parliament and meet with some of his ministers. The minister of education, an enlightened, educated young man and his close relative, wholly committed to the welfare of his people was a Muslim by conviction and deeply involved in Islamic affairs.

When I went to call on Sir Fredrick, he insisted I stay on for lunch and had my flight schedule changed. He was a simple man without pretensions but with a stamp of Cambridge accent. Any youngster or attendant entering the room had to crawl on his hands and feet to reach him. It was a centuries-old custom. Our presence embarrassed the Cambridge-educated Sir Fredrick not a bit. Despite the tribal tradition and his commonly known habit of excessive drinking (he didn't drink in my presence) I found him a man of high worth. For his helplessness, he earned my sympathy. Some years later he fell out with Dr. Obote. Forced to find refuge in England, he still lives there.

Kampala is a picturesque city of moderate climate. From the institutions and public places like the parliament, hospitals and colleges, gardens and markets that I visited showed Uganda on the road to prosperity. The Muslims, like other communities, also prospered and their education and culture were on the rise. The grand mosque built on a hill was beautiful and a school for Muslim children appeared well managed.

Dinner at Kampala municipality:The Kampala municipality hosted a dinner reception in my honour over which Mayor Patel presided. In his speech he recalled two questions from his BA examination of Bombay university 28 years ago. One was what is love" and the other who is Zafrulla Khan? "My answer to the first question was I had no encounter with love so far, hence I cannot say what it is, and to the second, correctly, Zafrulla Khan is a minister in the central government of India. I could not have then imagined that I would ever meet the honoured guest in this beautiful city of East Africa."

In my reply while thanking Mr. Patel for his hospitality I hoped that while our meeting had come to pass after such a long time, in the intervening period he have had a close brush with love and he would be able to answer the first question out of his personal experience." The municipal hall was packed with the people and the mayor was a target of roars of laughter for quite a while.

Welcome reception by prime minister Dr. Obote:Prime minister Obote held a reception in the parliament building which was attended by the governor general, ministers and city fathers. Rowanda situated to the south-west of Uganda by then had won independence and was a member of the UN. The minority tribe that ruled Rwanda before independence had made way for the majority rule only for its own persecution to begin. Resultantly, a large number of the minority tribe had migrated to Uganda to settle in the border region. The Ugandan authorities asked for the UN assistance more particularly of the WHO and the high commissioner for refugees. On the suggestion of the government I went to see their settlement. The roads of Uganda were all black top and in good state of repair. Masaka Inn where I stayed was tidy and comfortable in a picturesque setting. In the evening we went to the house of Dr. Ahmad Din situated on a salient nearby and offered prayers where a mosque stands now. A better part of the next day was spent in inspecting a refugee settlement and discussions with the European and African officials. Their commitment, hard

work and sympathetic attitude greatly impressed me. In the evening the Maska citizens of Indo-Pakistan origin held a reception in great bonhomie.

I also went to Janja, a town 40 miles to the east on the bank of Victoria lake where river Nile originates to flow north. Standing at the source of the Nile, the haunting thought was how hundreds of explorers had lost their lives in looking for it and the hunger and thirst they suffered passing through forests and marshes. Now it takes no more than two hours from Entebe airport to reach Janja by road.

Back in Kampala, I went to the Ahmadiyya mission situated in a central picturesque setting. The local people had all contributed to the construction of the building but most to contribute was my host Dr. Lal Din. Then just completed, it fell to my humble lot to inaugurate its prayer hall. In October 1967 I had to go to Kampala again for a day. In the intervening period, a school had been built alongside.

From Kampala I went to Khartoum. The stop-over at Nairobi for a part of the day was almost all taken up by the meetings organised by the commissioner. Before a mid-night departure for Khartoum, I had time enough to pray at the Ahmadiyya centre, attend a dinner hosted by the local Muslim League and later deliver a speech at the Punjabi literary society.

***Speech in Punjabi and Nairobi's Punjabi literary society*:** The society lived up to its English name. I could imagine the society being chained in English language but I was surprised to find that even the rhyming of the Panjabi poem was in English words. It was left to me to speak in chaste Punjabi. Those were fascinating three hours. In November 1967 I had to go to Nairobi again. Sardar Narinjan Singh, president of the society, came over to the Ahmadiyya centre and recited his *naat* in praise of the Holy Prophet moving the whole audience. Tears welled up in my eyes – may Allah reward him.

***Sudan*:** I had been earlier in Khartoum but that was 20 years ago in March 1943. My two-day stay in Khartoum was very busy. At the end of July heat was intense. I called on the president of the republic and also met with ministers, leaders and senior citizens in a reception. Sudan's relations with Pakistan have been always cordial and the people in authority remain grateful to Mian Ziauddin for his sincere services as chairman of the governor general's advisery council.

***Talks with president Col Gamal Nasser and other leaders in Cairo*:** From Khartoum I flew to Cairo and held talks with President Col Gamal Abdel Nasser, Al-Syed Ali Salisy and foreign minister Mehmoud Fawzi. The president, as always, treated me with great courtesy and came up to my car to see me off. With al-Syed Mehmoud Fawzi I had friendly relations dating back to 1947 when he was Egypt's permanent representative at the UN. The talks were frank and informal.

***Tripoli*:** From Cairo I went to Tripoli. Pakistan had played a prominent role in the freedom struggle of Libya, Tunisia, Algeria and Morocco. They all entertain sincere sentiments for Pakistan which found frequent expression during my visit. Besides exchange of views on the current situation, visits to the ancient monuments and remnants of Islamic history proved of special interest to me.

Dr. Al-Syed Fazel Jamali: In Tripoli I also came across the son of my friend and former foreign minister of Iraq Dr. al-Syed Fazel Jamali, serving in some UN organisation. I asked where his father was. He said I would see him in Tunisia. I sought some more information about his father. Fazel Jamali was foreign minister of Iraq at the time of 1954 revolution. He was imprisoned, charged, tried in a military court, sentenced to death – once the news went round that he had faced a firing squad. All that while, I sincerely prayed for his release. After a long time it was confirmed that he had been freed. His son told me that

after release he was convalescing in Switzerland when he received an offer of professorship in Islamic studies at the Tunis University which he accepted. I felt greatly assured and looked forward to my Tunisian visit ever more eagerly.

***Tunisia*:** The month of Ramazan had set in as I reached Tunisia. It was gratifying to note that breaking of fast in the evening in Tunisia, Algeria and Morocco was not celebrated like a festival and the evening meal, relatively simple, ended quickly as the mosques filled up.

Meeting with Al-Syed Fazil Jamali: The guest house where I stayed in Tunisia was a palace of the French colonial times. Soon after arrival I rang up al-Syed Fazel Jamali. He said he would be coming over. I said it was for me for to go over to see him. Our get together, quite naturally, was sentimental. At the very outset I asked him whether he had been getting my messages. He had been and found them comforting. His being alive was but a bounty of Allah. Often he would hear that he was among the accused to be executed the next morning. But when the names were read out in the morning of those who were to be executed, his wasn't among them. Before the release, he was produced before General Kassem who told him that his name figured in the lists coming to him but he would score it out. He thanked him but soon after that the poor fellow met the same fate as he had determined for others.

I told him that it had been a time of great anxiety for his admirers. I minutely followed the newspaper reports of his trial in military court and felt enormously gratified that in his statements he did not rely on any alibi and remained unwavering in his bold stand. "During my ministerial tenure, I followed the policy that I considered in the national interest and stuck to it notwithstanding pressure to the contrary" he said.

Al-Syed Jamali said all along he was under great stress but looking back it benefited him a great deal. There were times when he saw death staring in the face but his attention remained riveted on eternal values. He kept studying the

Holy Quran and learnt from the Book of divine guidance what he could not from his daily routine. He said he had given up politics and it no longer interested him. On receiving President Boureguiba's invitation to join the university, he had made it plain to him that he could not possibly subscribe to some of his views on Islam. Boureguiba had told him that he should not at all feel restrained and he would be free to express his thoughts and value judgments. Accordingly, he laid special emphasis only on the Quranic values and the wisdom and philosophy set out in the Holy Book. I invited al-Syed Jamali to dinner the next evening and our discussions continued. He would spend a part of the summer in Switzerland. Chaudhry Musthaq Ahmad Bajwa, head of the Ahmadiyya mission in Zurich, kept me informed of his welfare.

***Meeting with president Boureguilba*:** In Tunis, I had an opportunity to call on president Boureguilba. Earlier once I had met him in New York at a reception hosted for him by the Arab-American friendship society where I was also invited. There I found him surrounded by his American admirers. As he saw me from a distance, he walked up to me. At Tunis he greeted me with the same courtesy and affection. I thanked him for his hospitality. "It is like your own home," he said. I also met foreign minister al-Syed Mangi Salim who was president of the UN general assembly before me. The government hosted a large Iftar reception for me. A visit to the Tunis museum of ancient relics proved very absorbing and similar visits were organised for me to the ancient ruins. The people on the streets of the city and in the suburbs, wherever I happened to pass, warmly demonstrated their love and sincerity. That only made me bow before my Creator who in His infinite mercy and grace had instilled affection for his humble being in the hearts of people living far away.

***Algeria's foreign minister Mohammed Khmesti*:** Flying from Tunisia to Algeria, the foreign minister warmly embraced me as I came down the gangway. Though always fragile, his embrace showed him no more than a bundle of bones.

He was also pale in complexion. I asked him the reason for his week looks. On a visit to Paris he had fallen ill, he explained. I told him his work and busy schedule demanded utmost care. He said I should worry not about his health – only for Algeria to survive. His life did not matter. After that the old New York evening came back. He held my left hand firmly in his left hand, took my arm under his and we headed for the airport terminal. In that very posture he introduced me to the ambassadors individually. Then he sat next to me in the sofa and introduced me on the radio. I could follow what he had to say in French in a measured tone. Welcoming me he said I had not been there before but my name was on every lip. Then he went on to say whatever came to him in zeal and affection.

The people along the way from the airport roared in cheer. For my stay an old French villa was chosen. Having assured everything was in place, he left me to say my prayers and rest for a while and would come back after an hour and take me to his house for the evening meals. He had not invited anyone else as my official visit was to start the next day, I was to be his only guest. He lived in a crowded bazaar in an ordinary flat on the fourth floor above the shops. The flat had all the necessary furnishings but simple. He had been married just for four months. Fatima Khomesti was also a known name in the struggle for Algeria's independence. Fatima was earlier married for two or three years to a national hero from whom she had two children – a boy and a girl. Within three years of the marriage he made the ultimate sacrifice for the nation and the country. Khomesti was her second husband. But the passion with which both children ran up to him showed as if they took him for their own father. After putting the children to bed, Fatima came into the drawing room and witnessed my arrival at the airport on the television. I told her "look Mohammad holds me in his grip lest I should run away" Fatima said he was very excited and eagerly awaited my arrival. I told her I was very disturbed to see him for he, though always weak, looked much weaker than before. He should take care of his health. She said

she, too, tell him that but he did not care and he had so much to do that he had no time to rest.

***President's Iftar Reception*:** The president held an Iftar reception for me. The dinner there is served as a part of Iftar. The Ramazan fasting is strictly observed in all North African countries.

***A boarding house for the children of martyrs*:** Beside other institutions, I have had an opportunity to visit a boarding house for the martyrs' children. It proved to be extremely gratifying. Housed in a large colonial villa situated in a very pleasant environment, it was a home and a school for girls in the age bracket of 8 to 9 and 12 to 13 years. The clothes of the children were tidy and their countenances cheerful and confident. The girls were not described as orphans nor were they treated like orphans as they are in our country. In short, the care of the martyrs' children was the same as for the children of the rich. In the recreation room the children left their games to huddle around us – the younger hanging around our necks. Their instant natural reaction testified to the high standards of their living conditions and victualling. The affection with which they were treated was reflected in their faces, eyes and movements.

Those were the early years of Algeria's independence. The government and the people alike were confronted with complex issues and problems. There were voids to fill and every needs could not be met. But one trust handed down by men who had laid down their lives in the struggle for freedom and fulfilled 100 per cent by the nation was bringing up children of the dead in dignity. This is the spirit that sets apart a living nation from the rest. I was told that an independent department looked after the upbringing of the martyr's children and their education in every part of the country. I raised my hands in prayer to Allah to bless Algeria's noble exertions with success and abundantly reward its people.

During my stay the foreign minister spared an afternoon for an excursion to the seacoast. Fatima Khomesti also accompanied us. We spent some time at

the ruins of an ancient Roman city in a picturesque setting at the edge of the sea. That was the only half an hour the foreign minister spent free of the anxieties of official routine. He wasn't inclined to be pensive yet looked for an occasion to laugh. And his laughter was like a ray of sun breaking through clouds only to be enveloped by darker clouds. As I bade farewell to him he said that though the session of the general assembly was seven months away, may be he visited New York before that. At the airport he saw me off with the same warmth with which he had welcomed me.

***Morocco*:** From Algeria I went to Morocco. There I was put up in the royal guest house. My old and dear friend Al-Syed Ahmad Balafrej was the prime minister. His elevation to that post, however, detracted not a wee bit from his simple, solemn sweet nature. He invited me to dinner at his magnificent official residence swarming with guests. When it was time to leave, he asked me to wait for the guests to leave so that we may talk privately. As we settled down, he said His Majesty was very happy that I had come still he regrets that you couldn't make it in the lifetime of his father, adding: "The late king was very keen to thank you personally and also on behalf of the people of Morocco for your services in the independence of our country. Sadly, he died in his youth without his wish being fulfilled".

I had a chance to see the White Palace of Casablanca which is a beautiful blend of Moorish and Western architecture. I had heard of Fez since my childhood and was eager to see it. That wish, too, was fulfilled. Fez is capital of ancient Morocco and a centre of religious learning. The old city by its situation is well protected from the viewpoint of defence. The city nestles in the lap two peaks, hence its population admits of no increase or expansion. The bazaars of the old city are all roofed and streets are narrow. The movement within the city can be only on foot. Donkeys and mules are employed to carry loads. After a while I felt the urge to go out in the open for a breath of fresh air – may be the residents have got so accustomed as not to. The courtyards of the homes are

spacious and the load is lifted off the chest as soon as one enters one. Besides the uniqueness of the city, worth seeing is its religious library with its many and rare manuscripts. The edicts of the Fez scholars are respected the world over.

***In the audience of King of Morocco*:** I had the honour to be summoned to the court of His Majesty the King. A military guard of honour was lined up in the courtyard of the palace. A decorated chair was set for His Majesty in the middle of the raised part of the courtyard. Twenty feet to the left of the King's chair was laid a chair for me. There were no other chairs in the court. In front of me and on the right of His Majesty in rows stood the prime minister, ministers and other dignitaries of the court. I stood up as the king entered while others, already, standing kept standing. His majesty gestured me to sit down.

The gentleman designated to interpret was also known to me when he was Morocco's ambassador to Pakistan. He had accompanied me to the White Palace and Fez. He had earlier told the head of Pakistan's mission that translation was an arduous task in the court of the King and he felt quite nervous about it. A request therefore should be made to me to speak slowly for him to keep pace.

His Majesty was simply attired as are most people in Morocco. In dress, as in all other matters, I observed no ostentation. A kindly smile played on the king's face all the time which became kinder as he spoke in slow, measured tone. I could follow what he had to say dispensing with the services of the translator. But still he had to do the job assigned to him. For me to have told him that no translation was needed would have been against the etiquettes of the court. The predicament of the translator was pitiable. He was sweating profusely. Whatever took His Majesty three minutes to say, he would summarily interpret in half a minute. The King would smilingly look at me to signify that he knew that I had understood what he had said. Likewise, whatever I had to say, the translator would summarise only to amuse of the King. The meeting continued for three-

quarters of an hour and the quality of translation made it sound like a farcical play.

***Conferment of Morocco's highest award*:** Towards the closing of the audience, on a gesture by the king an official brought up a box. The King then said: "Zafrulla khan, we can never thank you enough for the services that you have rendered to Morocco and to my family. But it would give me great pleasure if you were to accept this medal, which is the highest of the land, as a token of our gratitude and lasting goodwill". The translator got himself off the hook by saying this much: "His Majesty confers this medal to honour you."

I suitably thanked His Majesty in two or three minutes in these terms: "If I have been of some service to Morocco, its people or the royal family, it was in discharge of my duty and was a source of satisfaction to me. I am a humble man and do not consider myself worthy of kindness and courtesy that has been consistently extended to me topped by the honour that Your Majesty has conferred on me today. While accepting it, I acknowledge the kindness and affection shown to me and in return express my own feelings of sincerity for Your Majesty. The translator once again got rid of the whole by a curt "I do not consider myself deserving, but since you give it to me, I take it."

***His Majesty's address to the Afro-Asian delegates*:** That very year His Majesty visited America and addressed the Afro-Asian delegates at the UN. By coincidence, Pakistan was also the president of the Afro-Asian group for the month. I spoke briefly to introduce His Majesty and deliberately refrained from using the customary words of praise for fear of being overwhelmed by emotions.

His majesty started his address on this note: "Gentlemen, this occasion is of special interest to me for it provides me an opportunity to publicly thank on behalf of the people of Morocco that distinguished man, who today happens to preside over the Afro-Asian group, for the services he rendered in most trying moments of our history. I had given an expression to my thoughts in Rabat but

today I must again before all of you. When the Morocco issue was up before the UN, our friends could be counted on the fingers of two hands. But after hearing summary of Zafrulla Khan's speeches on the radio, or reading account in newspapers, I felt confident and assured that we must succeed for our case was in the hands of such a skilful and able advocate".

Starting with such gracious remarks, the King for half an hour without the help of notes reminded the Afro-Asian delegates of their duties in a fascinating manner. The audience, I could feel, had realised the worth of the person of King Hassan. His Majesty's address was simple and thoughtful, without embellishment but appropriate for the occasion.

On the direction of His Majesty I went to see him at Plaza Hotel. In the dim light at the entrance to the royal suit, I thought some aide of the King was standing to receive me. But as I heard my name and saw an extended hand, I was taken aback for the King himself was there waiting for me. Looking at his utterly informal dress and his presence at the outer entrance made me think as if there had been some misunderstanding.

Just then he said with a smile: "No interpreter is needed today I can express myself in simple English and if you also speak slowly I will have no problem in following you. I am very happy to see you here as I would be able to talk freely. You well know that my father died suddenly. He had a minor cyst in his nostril which was surgically removed in the palace. The doctor was also a specialist but it seems father's heart was too weak for chloroform. He instantly died. He was not just my father but also a friend, a guardian and a teacher. It was not the death of the King but of his heir. That day the world changed for me. I occupied the chair of the king but found myself wholly unfit for that status. It was then that I made a firm resolve to follow in his footsteps and strive continuously to achieve the goal for which he had trained me."

"All of us," I said, "would pray that God blesses you with an heir whom you bring up the way your father brought you up." Greatly delighted, he said his wife was expecting "May God grant your prayer to the happiness of us all. Now I

will show the photo of my daughter to you". He went to the adjoining room and brought a dozen photographs and told me to take one for he respected me like his father and the grandfather must have the photo of his granddaughter. I selected a photograph showing the princess at the age of a year or so. Sitting on the floor she was holding the photo of her father in her hands. He said my selection was most befitting for the photo showed both the son and the granddaughter.

In short, as he had said on my arrival, our conversation was free without a trace of formality. For full one hour, keeping the worries of the state aside, he revelled in the memory of his revered father, talking about her daughter and the Lord's expected bounty. I was happy on the thought that he had enjoyed talking to me without standing on ceremony. Bidding me farewell he said: "Wouldn't you keep coming to Rabat? I hear you are about to join the World Court again. You must promise to spend the annual vacation with us. It would make us all very happy". I said I would talk it over with Ahmad Balafirj. He affectionately said good bye to me and despite my persuasion not to come out, he walked up to the staircase and waited there till I had entered the lift and raised his hands in prayer as the lift moved.

Later when I met Al-Syed Ahmad Balafirj he said the King had told him emphatically that he must arrange with me to visit Morocco during vacations every year. "Morocco has many places with a variety of weathers, you could choose one or two for your stay or go on long excursions. If you prefer to stay in hotels, they are all over or a house could be rented for you to read or write if that is what you wish to do. His Majesty would do whatever you prefer." The state of my mind resembled "look at the dignity of a king and the reaction of a beggar".

Foreign minister Gromyko's renewed invitation for visit to Moscow:Toward the end of 1962, ambassador Rozin of Russia returned to Moscow to take up the post of deputy foreign minister. I had become friendly with his successor. In March or April of 1963 he sent across a word that he would be coming over to see me with a message from Gromyko. He read out his

message in English: "You had promised to visit Russia some time after the winter. In a few weeks the weather here would be turning pleasant to welcome you. If you were to tell us when you would be coming, for how long and the places you would like to visit, we would make your schedule before hand". Thanking him, I replied that I should be able to visit in June for eight to ten days and would like to go to Leningrad, Moscow, Samarkand and Tashkent.

Participation as president of the Assembly in a conference at Rome: At that very time, Dr. B. R. Sen, director general of FAO, convened a conference to banish hunger from the earth. I went to Rome to attend it. A number of distinguished men were attending it. My seat was next to Sir Julian Huxlay. In my speech I quoted a *hadith* of the Holy Prophet:

ایّاکم والفقر یکادالفقران یکون کفرًا

[Approaching is the time when deprivation will force the deprived to rebellion or violate the Divine commandment]

Sir Julian asked me, wondering, whether the Prophet of Islam indeed had issued such an injunction 1400 years ago and put a paper before me to write it down for him along with its translation in English. I complied with his request.

***Pope John XXIII*:** During the conference, His Holiness Pope John XXIII received the delegates at the Vatican Palace. Director General Sen read out the address to which the Pope replied in English.Rising from his chair the Pope shook hands with the delegates in the first row and informally talked to them for about 15 minutes. He is a simple man of humble disposition. He bid farewell two or three times only to resume conversation as if taking leave so early weighed heavy on him.

A few years ago when he was elected, an impression had gone round that the leadership of the Catholic Church was being given to an old man so that he may quietly while away his short time while the cardinals agree on the election of a sturdier man fit to shoulder the ever increasing responsibilities of the Papacy. Even then the feeling was that the present Pope Pius VI (he was then the cardinal of Milan) would be elected.

Despite his old age and humble temperament, Pope John proved to be a strong personality. His cyclical on the world peace – Pacem in Terris – was universally acknowledged as a fundamental and thoughtful document. Convening of the consultative council of the church for the unity of the Christian world was a revolutionary step which may take many more years to yield results. But it is obvious even now that in the history of the church or even in the history of religions it had inaugurated a new chapter. The status of the Pope and his powers are also undergoing a radical transformation.

Veto right of the permanent members of the Security Council: One among many reasons for the ineffectiveness of the UN in matters political is the right of the permanent members of the Security Council to veto any proposal. The Western powers observing that the only practical result of the right of veto had been that a measure of which Russia did not approve could not pass through the council, the remedy that occurred to them was to take it to the General Assembly for a decision.

Russia had exercised its right to veto on more than 100 occasions while the other permanent members hardly ever used it – the reason being that the members opposed to a proposal abstain from voting. In such situations, China ordinarily sides with America and some from among the non-permanent members also go along with the members from the West. Resultantly, the proposal falls through for not getting the required majority. Exercising the right of veto, therefore, is not necessary. The Western countries adopt this route to get such proposals rejected as they do not approve of. But in important moral issues,

Russia gets the support of no more than three or four non-permanent members leaving it no option but to use the weapon of veto.

Secondly, the powers of the Security Council and the Assembly are in conflict with each other. Under the charter, the Assembly can debate every issue, barring a few exceptions, but can only recommend after a debate. As opposed to that, the Security Council can recommend, and may also order, if the dispute poses a threat to the world peace. However, if a proposal vetoed in the Security Council is brought up before the Assembly for a debate, the Assembly cannot exceed its power and can express its opinion only through a recommendation.

Only in one matter – approval of the UN budget and its subsidiary organisations – the assembly has an edge over the Security Council. Therefore when the Assembly recommends and also advises the secretary general on the manner of its implementation alongwith the budgetary approval, the recommendation practically becomes a direction. Through this procedure a breach was made in the veto barrier and powers of the Assembly practically increased to the stated extent.

This device besides the western members of the Security Council also found favour with secretary general Dag Hammerschold. That is how the peace proposals were implemented in the Middle East and later in Congo. The Assembly sanctioned the expenditure but Russia and France objected that the approval for implementation could be given only by the Security Council. The Assembly had no authority, hence any action taken without a direction from the Security Council was irregular, the expenditure could not be treated as a part of the budget. On that ground Russia and France, and some other countries agreeing with them, refused to pay their part of the expenses.

***Mr. U Thant's election as Secretary General after the death of Dag Hammerschold*:** The Congo dispute dragged on defying a solution. Dag Hammerschold who was very keen on its settlement lost his life in pursuing it. Mr. U Thant, ambassador of Burma, succeeded him for the unexpired term of one

year and later was elected for a full term. He was the chairman of Congo's consultative committee. Pakistan was one of its members and in that capacity Agha Shahi had the opportunity of continuously working with him. He formed a very good opinion about U Thant's skilful and firm handling of the problems.

On the sad and sudden death of Dag Hammarschold as consultations began on the choice of his successor, Agha Shahi advised me to mention U Thant's name to the American ambassador, Adlai Stevenson. I had also known U Thant and had a good opinion of him but I had not been long at the UN and did not know him as well as Shahi did. So when I mentioned his name to Mr. Stevenson, he wished to know my opionion of his ability and competence.

Having given my view, I said I had brought along Agha Shahi because he had worked with U Thant in the Congo campaign as his colleague and his opinion of him was excellent. Mr. Stevenson heard Shahi at length. U Thant's name thus came under consideration and, finally, he was elected. All this while, I talked to U Thant only once to say that his appointment was most likely and may be one or the other party tried to get its conditions accepted but he must accept no condition. He said he had no desire to get the post nor would he accept any condition from anyone.

All this while, efforts to bring peace to Congo continued but Russia, France and some other countries refused to pay their share of the cost. The arrears kept mounting and there were times when their arrears rose to double of their share. Under clause 19 of the charter their right to vote would have lapsed and to meet its expenses the UN had to borrow. To deliberate the issue a special meeting of the Assembly was convened.

***Algerian foreign minister Mohammed Khomesti's tragic death*:** Before the special session, I received a telephone call about the tragic death of foreign minister Khomesti of Algeria. A demented fellow, I was told, shot him point blank in the forehead as he came out of the country's constituent assembly. Fatima Khomesti who was also a member of the assembly was with him as he

fell. He was said to be unconscious but breathing with lower part of his body paralysed, perhaps, forever. A few days later Fatima wrote that Mohammad was still breathing. He remained in coma for six weeks while his spirit knocked at the heavenly gate. As long as he was unconscious I constantly beseeched Allah for his recovery and since his death there is not a day when I did not pray for Allah's mercy on his soul and welfare of his friends, relatives and forefathers. The list is getting longer by the day.

In the first session of the Assembly, Fatima Khomesti was a member of the Algerian delegation. How painful was the story of her life! First, her husband died leaving behind two infant children. Within six months her father tragically passed away. May Allah heal her wound and take care of her children.

I preside over the special session of the General Assembly:A special session of the General Assembly convened at the beginning of June 1963 was its fourth. I was asked to preside over it. The issue for which it was convened, was assigned to the Assembly's fifth committee responsible for financial and administrative matters.

Journey to USSR:On my request, the ministry of foreign affairs allowed Salman Ali, first secretary of the Pakistan embassy at The Hague, to accompany me to Russia. Salman Ali at one time was posted at Moscow. He spoke Russian and was otherwise well acquainted with the conditions there. We understood each other well and his company helped and comforted me a great deal.

***Leningrad formerly Petersburg*:** Our first halt was at Leningrad. The stay was for two nights but just a day was available for sightseeing. I had been to Petersburg for three or four days exactly 50 years ago when I was a student. During the Second World War, the Germans had laid siege to the city for months together causing great hardship to the inhabitants. Constant bombing had reduced the food supply to a point where even the last rat was eaten up but failed to shake

the resolve of the besieged citizens. The inhabitants of Leningrad are justifiably proud of their city. After the war the city was restored to look prettier than before. The inhabitants consider themselves superior to Muscovites and treat them with disdain. The young lady escorting us was disappointed to hear that the tourism authority had given us just one day in Leningrad and four in Moscow. My telling her that I had spent four days in the city 50 years ago failed to appease her.

We went to the other bank of the river to see the Hermitage museum, the royal jewels and the interior of a mosque. On my visit to (what it then was) St. Petersburg 50 years ago, the mosque had been completed but not opened. I could not see the Imam either as he was not at his home. All places looked better maintained than in 1913. A large playground surrounded by homes and orchards on the banks of Finland Bay which I had not seen before was fascinating but missed seeing again Peterhov Palace for lack of time. I also went to have a look at the building where the gun merchant, Wasalwich Nicolas Deling had his shop only to recall his hospitality of 1913 when he took me and Sardar Akbar Khan to the islands after hosting a dinner for us.

Moscow: We spent four days in Moscow and chose to visit an institution of culture instead of a factory. Its director, Prof Ghafurov, had been to Pakistan. He and his colleagues heartily welcomed us and presented some books and two albums of Iranian, Mogul and Chinese miniatures. The time spent at the Moscow University was interesting. The campus is magnificent, and its science department and residential hall are impressive Bathroom and toilet are attached to every room meant for one or two students. The room rent and cost of meals was reasonable and the standards of cleanliness high. The vice-chancellor conferred the university medal on me. A visit to the industrial and trade exhibition was also worthwhile.

Every station of the Moscow underground railway is, so to say, a museum of culture of one or the other province. The staircase and platform were

immaculately tidy and the passengers took care not to drop a piece of paper or cigarette ash on the floor. The trains were very clean. Travelling by underground was, in a way, an experience in culture and discipline. The route of the system comes into view as a passenger enters a station. He has only to press the button of his destination and the line leading to it lights up indicating the stations at which the train would stop and where he would be required to change to another train.

Labour Colony: We also went to a labour colony. A model of the colony was displayed at its entrance. A point named "motor-house", we were told, was for hiring cars and buses. We saw people eating at a restaurant that was clean, food was tasty and prices affordable. Every flat had two or three bedrooms, bathrooms, kitchen, etc. and running hot and cold water. I asked Mian Arshad Hussain (he was Pakistan's ambassador there) whether during his stay he had noticed any improvement in the living standard of the people. His reply was it indeed had a great deal in food, dress and housing.

We stayed in a big hotel. Salman Ali took care to instruct the staff about every meal and service on time. The hotel being large and comfortable, the number of people arriving and leaving made it look like a railway junction. Most buildings in Kremlin are medieval but the national theatre is ultra-modern, large and magnificent. Of particular interest to me was a house in the Kremlin complex where Lenin once lived. It comprised of just three or four ordinary rooms devoid of fancy furnishing and lacking even the usual amenities. Lenin also had a *dacha* with a garden about 40 miles from Moscow where he spent his last two or three ailing years. From his life style, as we observed it and what the ordinary people had to say about him, I gathered the impression that Lenin greatly cared for the welfare of the common man. Of all the communist leaders, he is the only one who is remembered with gratitude, revered and even loved.

Invitation to lunch by foreign minister Gromyko:Mr. Gromyko invited me to lunch. Mian Arshad Hussain was also invited. The menu was in Urdu and conversation was in English dispensing with an interpreter. The deputy foreign minister, former ambassador Zorin, was among the guests. The hospitality and affection extended by Mr. Zorin throughout our stay was overwhelming.

Ambassador Arshad Hussain's dinner for the foreign minister: On the advice of Mian Arshad Hussain, I invited foreign minister Gromyko and some of his colleagues for lunch at the embassy. Mian Shahib told me that customarily the dignitaries notify only on the morning of the day of the invitation whether they would be able to attend. Thus, while the host has to make all the preparations, he might hear in the morning that everyone had regretted. Everyone invited by Mian Shahib, however, confirmed to attend but Mr. Gromyko was to leave soon after the lunch to go to another function. The conversation at the lunch was free and informal.

Meeting with Mr. Khruschev:On the way to the meeting with Mr. Khruschev, I asked Mian Arshad Hussain how long he expected it to last so that I should wind up within the estimated time and not burden Mr. Khruschev longer. He said he had seen him only at receptions and it would be the first occasion for him to go to Kremlin. In his view, however, half an hour should be appropriate and I should seek permission to leave after 25 minutes.

It was going to be my first meeting with Mr. Khruschev, As we entered the room, he came forward to greet me and shook hands with three of us (the third being Salman Ali). A photograph showed us in grim demeanour as we shook his hand. Being a state guest, I had gone to call on Mr. Kruschev only to thank him for his hospitality. But while entering the room, a thought arose in my mind and our conversation began as follows:

Zafrulla: Mr. President of the Presidium, today only two persons can be said to hold the peace of the world in their hands – you are one of the two. May I ask you what are you doing to maintain the world pace?

Mr. Khurschev: At the moment, the issue most critical to peace relates to East Germany. The biggest hurdle to the world peace would be out of the way if this issue was to be resolved. We are ready to resolve it in every sensible and reasonable manner but the other party is not so inclined.

Zafrulla: If it is not found possible to resolve the most important and intractable of all the issues, because of some conceived hurdles, wouldn't it be worthwhile to attend to the less troublesome issues which could possibly be resolved? The confidence and trust gained in the process may lead to a meaningful exchange of views in tackling bigger problems. My guess is that an agreement on the limitation of nuclear tests would bring the parties close enough to agree on other issues with a little more effort.

A gist of Mr. Khruschev's views: Mr. Khruschev continued to lay emphasis on the resolution of the East German problem. My submission to him was that it was an important issue dividing the two big powers in which a small country like Pakistan could hardly play a conciliatory part, though it should be expected to raise its voice in support of a reasonable proposal. Mr. Khurschev said a country of 100 million could not be called small. Undoubtedly, I said in agreement, 100 million human beings and out of them 25 if not 50 million are able-bodied adults. But what about their training, craft and weapons? That diverted the conversation to Pakistan. The gist of what Mr. Khurschev's had to say was that Pakistan's industries minister (Zulfikar Ali Bhutto) had been there and was told plainly and at length whatever he wished to know. Bhutto hoped to ask for the Soviet help in some projects and he indicated the extent to which Russia could go. He went back but no reaction came from Pakistan, everything

went into cold storage. (At this stage he smilingly looked at me to convey as if the government of Pakistan was interested in seeking the Soviet cooperation, but since the "other side" did not view it favourably no headway was made).

I told Mr. Khurschev that I carried no brief from the government of Pakistan but my own impression was it wasn't a frozen situation but, as he was insistent, I would do whatever lay in my power to defreeze it. He smiled once again and said "I have full trust in what you say" laying stress on "you". At that stage some frankness and warmth was imparted to our conversation.

In the photographs that I had mentioned earlier, in the first and second both of us looked grim in the face but in the third appeared smiling and cheerful. On return to New York when my colleagues asked how did my meeting with Mr. Khruschev go, I placed the photographs before them to guess it for themselves.

The conversation having proceeded for half an hour, I looked for an opportunity to thank and beg leave but now the reins of conversation were held by Mr. Khruschev. As a pause came to ask for leave, the meeting had been in progress for 55 minutes. In a meeting of less than an hour, it was not possible to form any opinion about a person so complex but the impression I gathered was that in private meetings Mr. Khruschev spoke frankly and not for propaganda. It is also likely that keeping in view the report that was made to him about me, he talked frankly.

***Tashkent, Uzbekistan*:** From Moscow we flew to Tashkent, capital of Uzbekistan. Since the territory of Russia and the territories owing allegiance to it extend from East Berlin to Valadivostock over a long distance, the travel is mostly by air. The domestic airfares are much lower than international travel. While the cleanliness and comfort of Russian planes in no way compares with the non-communist airlines, the fare is much less and domestic passengers do not seem to mind the minor difference.

The Soviet Union comprises of 16 republics and each republic has its own system of administration. Two among them Ukraine and Bylorus are even

members of the UN. Uzbekistan republic, vast in territory, includes Fargana in the east, Tashkent in the middle and Samarkand-Bokhara in the west. Of the six Central Asian republics, Uzbekistan is the biggest. Their language is common to a large extent. Founded in Turkish, it contains many words of Arabic, Persian and Turkish. Till 1925, it was said about the Tajik language that it was easy for the Urdu-speaking people to learn and even the Uzbek language because of their Persian script. Around 1925, the script was first changed to Roman and then, during the second world war, to Russian. Resultantly, the languages of these republics drifted away from Persian and Urdu though travelling between Tashkent and Samarkand I came across quite a few educated Uzbeks who were well conversant in Persian.

The native populations of these two republics are Muslim and their names are also Islamic. However, the last part of the name is given a Russian twist. For instance, the name of the mufti of Tashkent is Ziauddin son of Baba Khan but it is written and spoken as Ziauddin Babakhanov. Besides being the grand mufti of Tashkent, he is also president of Central Asia's Islamic cultural board. Before him his father was the grand mufti and the expectation is his son would succeed him.

In Tashkent we were official guests and foreign minister Azimov was our host. He received us and put us up in Tashkent Hotel. At dinner time we were told that the dining hall served the conventional food. We preferred to dine on the roof in the open where only nan-kebab and cherry were served.

The next evening we invited four doctors from Pakistan to dinner on the roof top. They were there for higher studies, two of them from West Pakistan and two from the eastern wing. They had been there for three or four months but still learning the language. They told us that culturally they felt like being at home and the local people treated them with courtesy, invited them to their homes and entertained them. Even the language was not a barrier.

The Russian protocol officer who had come with us from Moscow had spent some time in Pakistan and could speak Urdu. Another protocol officer who

joined us from Uzbek foreign office at Tashkent was a Muslim youth and freely talked to us though I restrained myself from talking to both on subjects which could cause embarrassment. We formed an impression of conditions in Tashkent and Samarkand which was about the same as that of the Pakistani doctors. The dress, as elsewhere in Central Asia, is mostly European. The meeting and parting with *assal-u-alakom* and *walaik-um-salam* is common.

Mufti Ziauddin Babakhanov: Mufti Ziauddin Babakhanov invited us to lunch. We regretted as we were to have lunch at *Kolkhoz.* We sought Mufti's permission to see him instead, in the afternoon. His deputy Makhdum Ismailov welcomed us. After a brief exchange of views and ideas, Mufti and Makhdum showed us round the principal mosque, library and other departments. Mufti told us that no religion could conduct proselytizing activities but religious teaching was not restricted in Islamic seminaries. There was no restriction on prayer either – be it at home or in mosque. The youth, though, no longer showed much interest in prayers and change in the script had curtailed the recitation of the Holy Quran in Arabic. The Quran in Arabic script, however, was available and its printing and publication was not banned either. In the library Mufti showed us three copies of the Quran in beautiful Arabic script printed in Egypt. Enquiries on questions of *fiqh* continuously poured into his office from the Soviet parts of Central Asia.

Mufti's tea room had a table laden with a variety of delectable edibles like scented rice, meat curry kebab and sweets. The number of guests was no more than 12 but the treat was enough for 40. We could make out that since we had regretted lunch, Mufti must have issued a *fatwa* that the lunch must be served at 4:30 p.m. It posed a big problem for me as the meal at the *Kholkhoz* was delicious and it was necessary for me to abstain but could not hurt the susceptibilities of Mufti either. I indulged myself.

The meal gave rise to new ideas in conversation. It surprised me to hear from the Mufti that two years ago when his elder son was in the last grade of the

high school, he intended to send him to Pakistan to complete his religious studies. He wrote a letter to the government of Pakistan through the Pakistan embassy but got no reply and had not till that day. He sent him instead to Al-Azhar and he was back for vacation after a year there. He was keen to see me. Shamsuddin Ziauddinov came over and desired to be photographed with us. At that time I thought may be Mufti's letter was not received in Pakistan. On return from New York, I was told that though the letter was received the Ministry of Foreign Affairs did not consider it appropriate to send a reply. The Mufti and Makdum Ismailov both were very serious-minded, amiable, hospitable, scholarly and venerable men. We left the cultural centre with feelings of goodwill and gratitude for its president and vice president.

***A Kolkhoz near Tashkent*:** I was interested in seeing a Kolkhoz. It was arranged for us to see one 30 miles away from Tashkent. There we were received by the vice president of the Kolkhoz in her office. Her husband was a school teacher. She was a sober lady well-versed with every aspect of Kolkhoz's activity. She took us round to see the school, hospital, cooperative societies, etc. Passing through a village I asked her whether it would be possible to visit a house to see the living style of the people. Surely, she said without hesitating a bit and led us into a nearby home. It was mid-day and traffic on the vast streets of the village was thin suggesting that the residents were working in their fields. Inside the house was present just an old lady. It was not possible to peep into a home from outside because of high mud walls. As we entered, right in front was an orchard and a vegetable plot to a side. The residential portion was to the right built alongside the outer wall. To the right of the courtyard we went into a verandah of glass walls and matted floor. Behind the varandah was a lounge with a row of rooms alongside. The rooms were clean and airy and furnishings simple.

We could not speak the language of the house-lady but from the smile on her cheerful face she did not seem to mind our unannounced arrival. She

instantly prepared and served *qahwa* us which we eagerly sipped. The trees were laden with fruit, the plot inside the compound was assiduously cultivated. So would be the plots in other homes, we imagined. Not an inch of the land was unused.

In front of the building of the Kolkhoz was also an orchard on the bank of a canal. A table for meals was laid along the wide canal that appeared deep and flowed fast. From the figures given by the vice president I calculated that the average share of a household in the collective income of the village was in the range of 15 to 20 thousand rupees. The expenditure on school education, hospital treatment and child-birth was in addition. The college expenses of all promising students and of the university, for some, were also borne by the Kolkhoz.

Moscow's protocol officer told us that the Kolkhoz was counted among the best in Uzbekistan for its fertile soil and abundant water. He told us that the water resources of the Soviets in the south were scarce but improving and the whole area soon would be like the Garden of Eden. He also told us that on the introduction of communal system in the area, the staff and material resources were all provided by Russia but the local people themselves managed all the departments.

***Meeting with chief woman physician and scholar*:** We also visited a sanatorium for tubercular patients. The chief physician was an Uzbek woman and working under her were a number of men and women. The houses in the sanatorium were designed to regulate the natural air and light. The walls were made of movable wooden planks, houses were all in a park for the patients to breath fresh air all the time. We also went to see a large cotton and woollen mill employing 14,000 workers. All the supervisors including the managing director were Uzbeks.

Tashkent's organisation of culture was then headed by a Uzbek woman scholar. Her knowledge was vast and I had an hour's interesting conversation

with her in Persian. The topic of discussion mostly revolved round emperor Zahiruddin Babur and his monuments. Babur was born at Fergana, hence he was also viewed as an Uzbek. Besides his adventures and consequents, he was rated very high in the fields of literature and poetry. "*Tuzke Babri*", in particular, has gained wide recognition and has been translated in quite a few languages. The director of culture told me that all his works had been published in Uzbek language and his poems were on every lip. She presented to me a copy of the "*TuzkeBabri*" printed in Russian script.

***Samarkand*:** We paid a day's visit to Samarkand for its historical monuments, I found the golden Samarkand as I had heard about it, in fact much more. These very monuments had lured me to Uzbekistan. For a number of reasons I had wished to pray at the grave of Amir Temur. That wish was fulfilled. I had heard, and so I saw with my own eyes, that his grave lay, as he had himself desired, at the feet of his teacher and guide bearing testimony to:

آں مسلماناں کہ میری کردہ اند
در شہنشاہی فقیری کردہ اند

[The faithful who have been leading the prayers, remain beggars even when they rise to be kings].

In and around Samarkand seeing through an admonishing eye and wall of tears, at the Islamic monuments, madressahs, shrines and communication posts, a prayer irresistibly arose: "Thou the Master of all that exists in Your infinite mercy transform the darkness of our nights to the brilliance of the day and raise the sun of Islam to apogee".

Our host in Samarkand was mayor of the city. After lunch, he asked about our programme. Better rest a while, he suggested. It was time to pray, I said. He led me to the bathroom and, meanwhile, spread out the mat facing the

Qibla. Being a centre of commerce, Samarkand is a lively place and a big *karakul* trading centre. There arose the same overpowering feeling:

عقل بازارے بدید و تاجری آغاز کرد
عشق دیدہ ز آنسوئے بازارِ او بازارہا

[Seeing a bazaar wisdom went trading, a doting eye enjoyed the bazaar's enormous variety].

The municipality of Samarkand spends a lot on the repair and maintenance of ancient monuments. We had become quiet friendly with the protocol officer. He told me he was already engaged and was due to marry. He was very keen that I should also attend. His father, he said, was very old, prayed and fasted regularly and recited from the Arabic script of the Holy Quran. But he himself could not read the Arabic script. I gave to him a copy of the Holy Quran beautifully printed in Arabic script in Egypt (presented to me, perhaps, by the mayor of Jerusalem) as a gift for his father.

***Back in Moscow*:** On the return journey I had planned to stay at Moscow for not more than a day. I went to call on the foreign minister to thank him for his hospitality. He asked me whether I had seen whatever I wanted to see. I had, I said, and found it very interesting. As I took leave of him he gave me a small replica of "Sputnik" as a personal memento.

***Warsaw, Poland*:** The next day we were to leave for Warsaw. At the airport we were told that the plane that was to take us there had not taken off from Warsaw because of heavy snowfall. The flight was cancelled but for us the Polish government sent a special plane. Because of this delay our short stay at Warsaw was cut even shorter. Getting to Warsaw we found the foreign minister

in a quandary because our programme for the day had been cancelled. He was unhappy that had he been told on time about the cancellation of the flight, he would have dispatched the special plane much earlier. We thanked him for the plane but that did not diminish his grievance against the airline. We could not have extended our stay at Warsaw by a day for that would have upset our programme in Prague to the discomfiture of our host here. Nevertheless, we made full use of our time in Warsaw. I found Warsaw of 1963 much different than Warsaw of 1937. Its new cultural centre is worth seeing. There was much more to see but we couldn't have stayed longer. The hospitality of the government was extraordinary. At official receptions sincere sentiments were expressed about Pakistan and about my person which, I got the impression, were not merely formal. The foreign minister presented to me an antique manuscript on Islamic *Fiqh*. Not realising then, on return to Pakistan I was told it was one of the rare few.

***Prague, Czechoslavakia*:** At Prague the hospitality extended to us was as in Warsaw. We went to see an historic palace situated on a hill top. The foreign minister hosted a lunch for us in a restaurant on the banks of Moldan river. All along it was an interesting trip that made me feel enormously grateful for the hosts.

***Inauguration f Ahmadiyya Centre at Zurich*:** From Prague I went to Zurich where I inaugurated an Ahmadiyya mission and prayer centre.

Closing of the special session of the General Assembly: Back in New York, I presided over the closing session of the General Assembly held to discuss and approve the report of the fifth committee.

***Excursion to Canada*:** I went on a four-day holiday to Montreal, Ottawa, Toronto and Niagara Falls. At Ottawa I was invited to lunch by foreign

minister Paul Martin at the parliament house to which prime minister Lester Pearson was also invited. A few days before that, he had undergone surgery, for the removal of a cyst from his neck. He told me that the cyst was removed by a Canadian surgeon but the wound was stitched up by a Pakistani surgeon that showed, he said, "the degree of trust we repose in Pakistan". After lunch we witnessed the proceedings of the parliament. The speaker was known to me. As he announced my presence in the gallery, the members thumped their desks and raised welcoming slogans.

My election to the World Court for the second time: In the 1963 annual meeting of the UN, five judges were to be elected for the World Court to replace an equal number retiring in February 1964. Among the retirees was the president of the court from France and a judge from Britain. Since France and Britain were the permanent members of the Security Council, two judges were to be elected from those very countries. The other three were from Latin America.

At the inception of the Court, the member-countries of the UN were 51 out of whom 20 were from Latin America. An understanding reached about 15 judges of the World Court was that five would come from the permanent members of the Security Council i.e. US, Britain, France, Russia and China and the remaining 10 from all other countries. Since in the beginning the number of member-countries from Latin America was 20, four out of 10 judges were elected from Latin America. This ratio remained in force till 1963. The combined number of member-countries from Asia and Africa in that year had exceeded half of the total. But in the World Court there was only one judge from Asia (besides China) and another from Africa.

As the 1963 election approached, it was said on behalf of the Asian and African countries that considering their number they should get more seats in the court. They proposed that

on the retirement of the three Latin American judges, one judge each should come from Asia, Africa and Latin America. I was nominated from Asia and another from Lebanon. Thus, for the Asian seat the contest was between the two. The contest was tough but I was elected.

Excursion to Fiji Island and New Zealand: At the beginning of 1965, while at Karachi on the way to The Hague after spending summer vacations at home, my dear old friend Syed Shujat Ali Hasni, then governor of the State Bank asked me to deliver a lecture for laymen's understanding on economic policy and principles at a seminar organised by the Central Bank of New Zealand at Wellington in mid-November. My host there was to be the governor of the Central Bank. He wanted me to spare seven to ten days to visit places. Since I had heard and read about New Zealand but never been there, I readily agreed.

In October 1965 I set on journey to New Zealand from San Francisco. The next morning the plane landed at Fiji where I had planned a halt for a few days. There I discovered it was Saturday – Friday having vanished in between.

The population of Fiji in 1965 was about 300,000 – half of them Hindus, Muslims and Sikhs of Indo-Pakistan origin. An equal number was of natives. Ahmadis are significant in number and distinguished as a class. There I learnt that the Ahmadiyya Imam had passed away.

In sadness and anguish I recalled my association with the late Imam, the favours that he had done to me and the trust he reposed in me. In August 1916 I had shifted from Sialkot to Lahore to work as assistant editor of "Indian Cases". Till then practising law at the chief

court was nowhere in my mind. In November I received an instruction from the late Imam to proceed to Patna to appear in an appeal there in the high court arising out of a dispute over the custody of a mosque in Mongher. Arrayed against me, a novice, were legal luminaries Mazharul Haq governmental pleader Syed Fakhruddin, Mr. Yunus, Maulvi Tahir, half a dozen other lawyers backed by scholars of religion. With me was only Maulvi Khurshid Hasnain and that too only to comply with the rules of the court. He would appear for a few minutes only to mark his presence. The facts and the law, as already recounted elsewhere, were compiled so ably by Syed Wazart Hussain that I encountered no difficulty in arguing the case.

In the like manner, at Madras high court I faced Madohan Nyre who later became judge of the high court and the Privy Council in London. At Amristar I stood against Dr. Saifuddin Kitchlew and Maulana Sanaullah. At the Punjab high court I was chosen by the Ahmadiyya chief to represent the community. In this appeal, because of its critical nature, Imam was advised to engage Mian Muhammad Shafi or Mr. Pitman as lawyers but he turned it down for ability could not achieve what sincerity can.

At the time I appeared in Madras high court, I was 28 or, may be, 29 years old. The other cases mentioned were entrusted to me when I was not even 25.

In November 1917, Mr. Mantague, Minister for India came to Delhi to ascertain the public opinion on the constitution of India and heard the views of the representative interests. The English translation of the memorial written by Ahmadiyya Imam was translated by me and I also read it out when the delegation of the community called on the minister. I was again

chosen to act as an interpreter in the meeting between the minister and the Imam.

NewZealand: I had two things in mind to see or experience in New Zealand: the native Maoris and the boiling hot springs producing steam which is put to a variety of uses. After going round a Maori settlement and some factories powered by natural steam, a factory manager took us to a mound. There the manager's wife refused to come out of the car and let us experience what it was like. I stepped out of the car on a violently shaking earth and a frightening roar of water. The steam and fire made one feel like riding a galloping defiant bull. The roar of the steam every half a minute turned into terror as a column rose from the bottom of the earth to the sky. It was like sampling the fury of hell.

The hotels resembling colonial bungalows peculiar to new Zealand are homely and comfortable. After a fascinating two-night trip to the countryside I returned to Wellington. After the seminar, the governor general invited me to lunch and the central bank governor to dinner where I met the judges of the supreme court. Prime Minister Holyhoc hosted a lunch at the parliament house.

Wellington done, I left on a trip to the southern island where the helicopter landed on a glacier. From the Queens Town airport contact is maintained with the scientists stationed at the South Pole.

As I sat reading a book at the airport to catch a flight for Wellington, a young man walked up to me and enquired whether I was Zafrulla Khan. On an affirmative reply he said "It is a strange coincidence. I am a student from

Indonesia studying at the Queens Town university. These days I am reading a book on Islam that I bought here, you are its author, the book is here with me kindly sign it." I complied and he went on to say in all simplicity: "May Allah reward you abundantly for writing this book." Instantly, a prayer rose for him on my lip and the next moment I prostrated in gratitude to Allah for such a fascinating gift in my lonely moments.

From Wellington I went to Sydney famous for its harbour the world over. From the air it appeared to deserve a tribute but not so from the land. May be it would have been different had I gone sailing into the bay. Sydney is a large city but not particularly grand or magnificent. May be it was too short a stay for me to form a correct judgment. Canbera, the capital, is beautiful with broad boulevards in an attractive background. The greenery and openness are pleasing but the place swarms with flies which, to boot, are very fat. I put up with the high commissioner, Dr. A M Malik, who is a very dear friend. I called on prime minister Robert Menzies, who is a friend of long standing, and Sir James Plinsol who was Australia's permanent representative at the Un when I was also there from Pakistan in the same capacity. Governor General Lord Casey, my friend since 1937, invited me to lunch where we recalled old memories.

The Hajj: I left charge of the post of permanent representative on February 5, 1964 to join the World Court the following day. Besides many benefits accruing from a second posting, the real gift was the fulfilment of my long-standing urge to perform Hajj in March 1967. The royal protocol department

arranged my stay at Jeddah Palace which is an ultra-modern hotel. The same day I went to Mecca for Umra and on return called on the ambassador of Pakistan Sheikh Aizaz Niaz, Haj officer, and third secretary, Syed Ishtiaq Hussain, had been my colleagues in the foreign office. They treated me with the same old courtesy and helped in Hajj arrangements.

On March 12 I left for medina by car and stayed there till the 15th. My residence being just a few steps from the Prophet's Mosque, I offered all five compulsory and other optional prayers in the mosque. The people swarming the space between the mausoleum and podium of the prophet all the time, made me worry lest I be deprived of offering prayers there. But I could do that a number of times.

The mosque is closed for cleaning for three hours from midnight. On the evening of the 13th, the protocol officer told us that he would come at midnight to escort me to the mosque to offer our prayers to heart's content. I availed that opportunity on two nights.

Returning to Jeddah, I left for Mecca for Umra and other rituals. At Mecca I also attended a dinner reception of His Majesty Kind Faisal. In his speech the King spoke about the Yemen dispute suggesting that all external elements should quit the country to let the Yemenis freely decide their own future. He announced, holding all those present as witnesses, that whatever the people of Yemen decided without external interference or coercion, his government would be honour-bound to abide by that even if in his view it was undesirable.

Some details of Hajj: In Mecca I put up in Alharem hotel a few paces from the Grand Mosque enabling me to offer

prayers and circumambulations in all parts of the day and night without the crowd ever thinning out. The largest number came from Iran and Turkey in disciplined contingents overland. The residences for them both at Mecca and Madina are earmarked before hand. During circumambulations also they stick together. The pilgrims from Iran go to the extent of forming a formidable chain by holding arms. They protect the ladies, old and infirm by keeping them within the circle some time to the annoyance of others. It is an injunction of the Holy Prophet that there should be no pushing or shoving at these places and more particularly around *Hajreaswad.* The Turkish pilgrims appeared more disciplined than others. They are also identified by their accent most among them are heard saying "Allah o Ackbar" instead of "Akbar" – perhaps as a consequence of Latin script.

Another inspiring Phenomenon of Hajj: *Talbih – Lalbaik Allahuma lalbaik, lalbaik lasharikalal lalbaik innal hamd walnamat laka walmulk lasharikala* – is recited three times as soon as two white sheets replace the usual clothing. As a pilgrim embarks on Hajj from anywhere in this world, he starts with loud *talbih* and keeps reciting it for the duration of the Hajj. Now Mecca radio also keeps the recitation on continuously.

On the return journey from Medina by car, one can hear it constantly recited. Not just the tongue the mind and the heart also beseech Allah for mercy in a ferment as tears well up. One always feels inclined to invoke blessings for the Holy Prophet and his devout disciples. The prayers intensify and hearts melt as young and old, white and black, men and women, from every corner of the world move from Mecca to Mina. All are equal there, no master nor slave as they head toward

the ultimate destination of accountability. There is no fear of punishment, only hope for pardon.

In Mina, as in Mecca, some pilgrims live in houses but the majority find shelter in tents. The guests of the government are put up in houses. Even in the month of March it was quite hot but cold water was freely available. Though all instructors try, some fall short of providing amenities which are graded related to the cost. Some governments themselves look after their pilgrims – Turkey, Iran and Indonesia among them. The government of Pakistan sets up medical camps at Mecca, Mina and elsewhere and the ambassador himself and his staff supervise the facilities provided. A large building in Mecca serves as camp office of the embassy and guest house for the privileged pilgrims. Still deficiencies persist. It would help if the names of the guides who are known not to care for the pilgrims are announced before the Hajj season for the people to be wary of them.

The comforts of today and agonies of the past: In the course of Hajj one becomes acutely conscious of the growing convenience and comfort in recent years. Once I happened to lay my hands on the diary of my grandfather, Chaudhary Sikandar Khan, containing an account of his Hajj journey 70 years ago. I also heard from my parents their account of Hajj in 1924. From both accounts one could make out how tedious and painful was the journey to Hejaz - by rail up to Bombay or Karachi and by sea to Jeddah.

Before getting to Jeddah, the passengers were quarantined in an island for up to two weeks. Since Jeddah then did not have a port, boats were employed to board or leave the ship in

the open sea. In Jeddah and Mecca one had to buy drinking water and it wasn't uncommon for pilgrims to die of thirst in Arafat. It took two nights and a day to cover 40 miles from Jeddah to Mecca on camel's back with no shade at halts on the way. The route to Medina from Mecca was also through Jeddah. A fast-moving camel caravan would take no less than 10 days and the slow-moving up to 17 days.

My grandfather was only 57 years old when he went for Hajj but was laid low by dysentery on return and soon died of weakness. My father also returned very weak. He suffered sea sickness in a turbulent monsoon. He recovered but a year later, apparently in good health, died suddenly.

My election as president of World Court: Five out of 15 judges of the World Court retire every third year on completing nine-year term. After the new judges are elected, the first task before the court is to elect its President through secret ballot for a term of three years. For the election held on Feb 18, 1970, my name was proposed alongwith two others. The winner must poll a minimum of eight votes.

The election proceedings spread over two days ended in my appointment. The two judges contesting against me in many respects were more eminent. What Allah Almighty envisages is known to Him alone and not for others to fathom. No one can stop His bounty He intends to bestow and no effort or device succeeds if He doesn't.

Uptil then the court have had eight presidents – two from Latin America, one from north America, four from Europe, four from Europe. I was the first from Asia – an Asian utterly wary of the western civilization and its values and showing it all the time

through his conduct. But it was His will to select an unworthy being:

نیست از فضل و عطائے او بعید
کور بشد ہر کہ از انکار دید
قادر است و خالق و ربّ مجید
ہر چہ خواہد بے کند بخشش کہ دید؟

[No bounty is beyond Allah. Blind is the person who doubts it. He has power over everything and produces everything. Anyone who looks up to Him in humility, He can do for him whatever He wishes]

Thirty-six years before this election my mother had happy tidings in a dream that were fulfilled two years after her death. She dreamt as she narrated it to me: "Through the window of my room I saw a circle of light travelling from one end to the other. Just as it got to the middle a solemn voice rose 'Chief Justice will be Zafrulla Khan son of Nasrulla Khan' and repeated the same after a short interval".

My mother was recipient of true dreams and we witnessed them all fulfilled. She also knew that dreams are subject to interpretation and the meanings are revealed as preordained. In 1947, I was senior judge of the federal court of India. Had I decided to stay on in India very likely I would have been chief justice after independence: But as prime minister Attlee announced the partition plan on June 3, 1947, I resigned from the federal court. The resignation took effect on June 10.

In the third week of December as I returned after leading Pakistan delegation to the UN, before going back to Bhopal to windup, I went to Lahore to see Nawabzada Liaquat Ali Khan on the direction of the Quaid-e-Azam. The likely posts he

mentioned for me included the chief justice of supreme court. However, at the same time he said the Quaid-e-Azam wished me to be the foreign minister. Mian Abdur Rashid became the first chief justice. Reaching the age of superannuation, he tried to persuade me that he would propose me as his successor. However, for certain reasons I did not agree.

In 1964 when I was elected to the World Court for the second time, quite a few judges then had been elected for the second or third term. All of them had completed their full term. It had not ever happened that a judge who had left before completing his term should be elected again after a gap. Such a situation had arisen only in my case. On second appointment, I became junior to all of my old colleagues.

Looking back I cannot help but think that my election as president of the court was only to fulfil the happy tidings revealed to my mother 36 years earlier.

Last Word: If this humble man has been able to render any service it is entirely because of Allah's grace and guidance. Whatever was worth doing and I wanted to do but did not do was only my fault. I beg forgiveness of Allah and hope He would forgive out of his infinite mercy.

The Holy Quran says His forgiveness is boundless. He is an Affectionate Master and Highest of Authorities but slow in taking cognizance. Looking inward, I find nothing but flaws and sins that make me shudder. I find some consolation only in His infinite mercy and willingness to overlook failings. The bounteous rewards he bestowed on me, I find hard to count and amaze me to no end. My life and soul are prostrate before Him. I entertain not the slightest doubt that my constant and firm faith in the

bounty of Allah and ever-lasting love for the Holy Prophet was only strengthened by the inspiration I received from His Servant of the age which shows itself, but in a small measure, in these pages:

For more than half a century I felt as secure as a helpless child unknowingly does in the lap of his mother. Meanwhile, if a tongue were to be placed In every particle of my being to thank Allah for His favours, the debt would still not be paid back. I can only beg of Him to enable me to be ever grateful. Time and again a prayer arises from my humble heart: "O my Lord You have treated this sinful servant of Yours as a spoilt child. Treat me always that way out of Your mercy and indulgence and when the end comes keep open the door of Your bliss."

Appendix-1981

In the concluding part of the first edition of this book a brief mention is made of my second term in the World Court and election as its president. There is no time to go into details but I must recall here some significant events that may be of interest to the readers.

***Namibian dispute in the World Court and my being excluded from the hearing and judgment*:** On the petition of Liberia and Ethiopia against South Africa; the World Court had ruled that it was competent to hear their complaint against German South-West Africa – later named Namibia. During my second term at the court, the disputed points in the petition were ripe for decision. Sir Percy Spender of Australia was the president of the court at that time. He in a manner wholly improper (details need not be recounted here) and without a demand from South Africa excluded me from taking part in the hearing and judgment.

Fictitious distinction between the right to complain and right to seek remedy: After the hearing as the judges exchanged views, quite unexpectedly the president raised a wholly unnecessary issue for a decision whether the right to petition, conceded by the court, entitled the petitioners to seek remedy from the court. The background of this bizarre drama was that two permanent judges had not been able to take part in the hearing because of their indisposition. Taking part were 13

permanent judges and two judges nominated by the contending parties. Eight out of the lot were in favour of the petitioners and seven, including Sir Percy, against. First, once the court had ruled that the petitioners had the right to approach the court, it necessarily implied that they were entitled to get remedy from the court if they succeeded in proving their claim. Secondly, if Sir Percy Spender at all had a distinction in his mind between the right to petition and the right to remedy, nothing prevented him from raising this question earlier.

Had it been decided that the petitioners were not entitled to any remedy, their petition would have been dismissed there and then saving them the trouble and expense of the proceedings and the court also would not have pursued a course that was to yield no result.

No impartial person could resist reaching a conclusion that Sir Percy well knew that the issue he was raising was without a basis. Had he raised it at the beginning, the majority of judges, sensing that it had no justification at all, would have rejected it at that very stage to save time and expense. Sir Percy, therefore, chose to remain quiet at that stage.

And when the stage came to rule on the points of fact and law, the number of judges including the temporary judges was reduced to 14. The opinion of the seven including Sir Percy who ruled against the petitioners' right to remedy was over-ruled by eight judges in favour. Now that Sir Percy was the president of the court and, in the event of opinions equally divided, had the right of a casting vote, he thought it was an opportune moment to raise the new issue.

Some among the judges did object that it was an issue for the preliminary stage and could not be raised towards the end. Further, South Africa had not raised it nor an opportunity was given to the petitioners to contest it. Thus if at all it must be considered at that late a stage, the petitioners should be given a chance to argue against it. But even this suggestion was rejected by the casting vote of the president.

The World Court's decision comes up for strident criticism in international circles: Arguments were held on the viewpoint of the president but it was upheld by his casting vote and the case of the petitioners was thrown out. On the points in dispute the court expressed no opinion though some among the judges elaborated their findings against South Africa and in favour of the petitioners. But it was to no avail. As the judgment was announced it came up for stringent criticism in international circles. The language used in the comity of nations caused enormous damage to the dignity of the court. The matter however did not rest there. Discontent against South Africa kept mounting.

Security Council's reference to the World Court: As South Africa paid no heed to the proposals made by the General Assembly, the dispute came up before the Security Council. The council asked for the court's opinion on the responsibility of the UN member-states on South Africa's stand on Namibia. The court was, thus, compelled to give its opinion on all the issues that it had refused under the presidency of Sir Percy Spender. To cap that the court had since elected a new president.

Notices were issued, proceedings started and the representatives of the interested states turned up to argue. At the outset, South Africa objected to three judges – I was one of them. The argument given in support of the objection was that the very reasons for which I was kept out of the earlier proceedings were still valid and also applied to the other two judges. South Africa was so conscious of the hollowness of its reasons that it did not quote any provision of the charter in support of the objection.

The World Court sends its view to the Security Council: The court adjourned to consider the objection. In the absence of the three judges objected against and ruled that the objection was baseless. On the remaining proceedings I presided. After hearing the arguments at length the court sent its opinion to the Security Council stating that the mandate given by the League of Nations to South Africa over South-West Africa (Namibia) had expired, South Africa's presence in Namibia was illegal and it was binding on the members of the United Nations to implement its proposals relating to Namibia. In the discussions among the judges I had also set out the obligations that the court's opinion imposed on South Africa. On the insistence of my colleagues who fully endorsed my views, I attached a copy of my note to the opinion of the Court.

On my election as president of the court, the British judge, Sir Gerald Fitzmaurice who had opposed me and his zealous supporter French judge Andre Gros were naturally upset and in the beginning viewed with suspicion whatever I did. But both of them soon became my enthusiastic supporters and the court atmosphere became very cordial. Resultantly in matters administrative,

unanimity without long-winded arguments became a rule. Just as Allah Almighty had made the presidency of the UN easy for me, in the same manner and, even more than that, He made the presidency of the court easy and enjoyable.

Differences over the statuses and housing facilities for the judges of the World Court: Differences had persisted between the World Court and the Dutch government over the status of the judges and their housing facility. In course of time they aggravated to a point that at the behest of the court an amendment was moved in the General Assembly to the charter of the court that the court, if it so desired, may shift its seat from The Hague to any other place.

Personally, I attached no importance at all to the question of status but as president it was my duty to safeguard the dignity of the court. The second question needed attention because the absence of housing facility was a hindrance both for the judges and staff in performing their duties.

The question of the status of the judges had arisen on the very first day the court was created on Feb 6, 1946. The first president of the court had sent a proposal to the Dutch foreign minister that since in rank the judges were equal to the first grade ambassadors they should hold the same position in the order of precedence. The day a judge is sworn in, he should rank just below the ambassador presenting credentials before him and, by the same rule, the ambassadors coming later should rank below. It was an eminently sensible proposal. But the diplomatic corps strongly resisted it on the ground that the tenure of a judge was nine years and could

double or even extend further resulting in some judges constantly ranking higher than the ambassadors. Later a demand could also arise that the president of the court should also be the dean of the diplomatic corps. It was explained in behalf of the court that since it had no concern with the diplomatic community, the dean would be always from their corps- and he would rank higher than the President. But the diplomatic corps couldn't be persuaded to agree and consequently, the issue festered.

The court had come into a being when no building suiting its requirements was available in The Hague. Though in the apparently grand building of the Peace Palace were also housed the offices of two or three other international institutions, a large part of the building was rented out to the court. It was a temporary arrangement not adequate for its needs. For instance, the chambers of the judges in size and quality were no better than the quarters of the priests without attached bathrooms. The government conceded that the court needed a larger building and an agreement had also been reached in principle between the UN and the Dutch government on a new building and its cost. But the difference remained on the point where it should be constructed. The site proposed by the government wasn't acceptable to the court and the government, in turn, was hesitant in sparing the site preferred by the court.

On my election as president, foreign minister Dr. Joseph Luns called on me. My friendship with him dated back to 20 years when I was Pakistan's foreign minister and Dr. Luns was Holland's deputy permanent representative at the UN. He had been foreign minister for 18 years and the news had it

that soon he would be occupying the prestigious past of secretary general of Nato. As he came over, I drew his attention to the two issues straining the relations between the government and the court. And now that he was the foreign minister and I was the president, it was a good opportunity to settle it. His unhesitant reply was "Zafrulla, whatever you suggest, I would agree and implement."

Successful talks with the secretary general U Thant and Dutch foreign minister on both issues: Soon, Mr. U Thant came to The Hague and the foreign minister invited both of us to dinner. Before the meals were served, the secretary general asked the foreign minister whether any settlement between the court and the government was in sight. The following dialogue ensued.

Foreign Minister: I have already told the president of the court that whatever he proposes, I would agree and get the approval of the government.

Secretary General: Mr. president, have you thought out a proposal.

President of the court: Indeed, I have. The disagreement is on two counts – the place of the judges in the order of precedence and site for the new court building, The position in the first case is that the court has the power to decide disputes between the sovereign states and the parties to the dispute are bound to implement and comply. To this extent, the states are subject to the decree of the court. For this reason the status of the judges is higher than that of the ministers of the government and ambassadors. Keeping this fact in view,

the status of the president of the court should be second only to the royal family and the dean of the diplomatic corps should rank lower than him. After that should rank the vice president of the court, the most senior ambassador, then the most senior judge and then, alternately the ambassador and the judge.

Foreign Minister: I agree

Secretary General: Where the new building for the court should be constructed?

President of the Court: The parts of the present building that meet the requirement of the court should remain in its use. The chambers of the judges, the connected amenities and larger space for the staff should be provided in a building to be constructed in the open land.

Foreign Minister: I agree.

Secretary General: Mr. President, should it be necessary now to amend the charter of the court?

President of the Court: Of course not after the government confirms the proposals.

Colleagues informed about the success of talks: My colleagues were then on vacation. I thought it appropriate to inform them about the agreement after they come back so that I may orally clarify, if needed. I informed them of the settlement in the very first meeting on their return. All of them expressed their satisfaction, indeed pleasure, on the proposed plan. They were surprised to hear of the place of the judges in the order of precedence and were hesitant in believing it: Their immediate reaction was, may be, I had misunderstood it. When I

assured them I hadn't their feeling was that the foreign minister may not have fully comprehended my proposal.

I told them to wait for a while for the written confirmation by the minister. Their response was they had to wait in any case, but was I trying to make them believe that under the agreed proposal the judge of the court on the day he is sworn in would rank senior to all the sixty seven ambassadors and after the president and vice president, 12 judges, dean of the diplomatic corps and 13 ambassadors. I said that was exactly what I had tried to convey. Their reaction was I must have cast a magic spell. I told them I did not believe in magic or totem.

Resentment in the diplomatic corps: The ministry of foreign affairs soon confirmed it in writing. Some judges thought the diplomatic corps would never accept the proposal. I drew their attention to the government letter that had already given effect to it.

After some time, the foreign minister told me that the dean of diplomatic corps had called a meeting of the ambassadors who fumed and fretted and advised the dean to lodge a strong protest and make it clear to the foreign minister that the corps would not ever follow the new order. But when the dean conveyed the ultimatum, the minister drew his attention to the fact that the ministry's letter contained no proposal asking for their comments. It had just notified the order of the government which admitted of no change.

Dean of diplomatic corps: But you did not even bother to consult us?

Foreign Minister: Consulting you was pointless for despite frequent past consultations you stubbornly stuck to your stand though you could clearly read the intention of the government.

Dean: That notwithstanding, the decision of the government is much worse than the court's first proposal.

Foreign Minister: You should have agreed to it then.

Dean: What was the hurry in making this decision?

Foreign Minister: I am surprised that you should be calling the decision in a dispute hanging fire for quarter of a century "hurried". As you must be aware, I would be soon leaving my present job. I did not, therefore, consider it proper to hand it down.

In short, a 25-year old issue was satisfactorily concluded. The order of precedence was immediately enforced and the new building was constructed after six years and inaugurated by Queen Juliana.

Her Majesty Queen Juliana's Royal favours: During my stay in The Hague like the other judges I was a recipient of the Queen's favours. As I became the president, I received Her Majesty's special and friendly affection. When the judges decided to celebrate the 50 years of the first international court of justice, as president of the court I invited Her Majesty to a celebratory dinner. While accepting the invitation it was conveyed in her behalf that she would not make a speech in reply to the toast proposed for it is customary for her to speak only when head of state is a guest or she is the guest of a state.

After proposing the toast, I briefly recalled her many royal and friendly favours. After the toast, quite unexpectedly, she stood up to speak in a manner most affectionate. Having read for a while from a paper, she put it aside and spoke extempore for about 20 minutes expressing her good wishes. After the dinner she mingled with the guests, much longer than the usual

half an hour. The guests could not help feeling that Her Majesty had treated the court with unusual courtesy.

Farewell reception for me and Her Majesty's affectionate treatment: In January 1973, registrar of the court told me that the protocol department had enquired about a date convenient to the judges for a dinner with Her Majesty. It was customary for Her Majesty to invite the judges and the court staff and their wives to dinner at Huisten Palace (near The Hague) every third year after the new judges had taken the oath. I told him that the new judges would be taking oath in mid-February and pleased to attend on any date after that.

Then came a clarification that the Queen wanted to host a dinner for the present lot of judges. From that I guessed that since my term and the term of four other judges would be ending on the fifth of February, maybe Her Majesty wished to hold dinner to say farewell to me. An invitation was received for dinner at a date in the last week of January not at Huisten Bosch but at Amsterdam's main palace where ordinarily only the visiting heads of state were entertained.

During the dinner, Her Majesty made it plain that the dinner was to honour my humble self.

A dream boding well: In 1972 my name was again sent up for re-election to the court. A good dream however, made me think that I must devote myself to the service of religion. Instantly, I wrote a letter to Pakistan's ministry of foreign affairs to withdraw my name.

***Back to London from The Hague*:** At midnight on the fifth of February I quietly sailed for London where I had already made arrangements to stay.

Queen Juliana's congratulatory message on my birthday: The following day a telegram was forwarded to me from my Hague address. It was a long message of good wishes. The name of the sender at the end was "Juliana Bernard". One can only imagine my sentimental reaction to this expression of affection. I rang up the registrar of the court to find out from the protocol department as to how I should acknowledge the message. He replied to say that the protocol people knew only this much that a telegram had gone but it was not through them nor were they aware of its contents. It was a personal message from a friend to a friend. The reply therefore could be sent directly to Her Majesty.

***Queen Juliana abdicates in favour of her daughter*:** On April 30th 1980, Queen Juliana at the age of 71, abdicated as head of state to make way for her daughter princess Beatrice, I had spent 15 years of my life at The Hague under her reign. In all those years I received her affection and favours of all kinds. Her abdication made me think I must one day go to see her to express my gratitude.

Presentation of my book "Mohammad Khatamunabbiyin" to Queen Juliana: After abdication, Queen Juliana chose for herself the title of "her royal highness princess Juliana sosdijiu" and lived in a portion of her palace. Towards the end of August I wrote to her private secretary conveying my wish to call on her. An

acknowledgement said she was enormously pleased to hear from me and would see me at the end of September. I went over and took along my book "Mohammad khatamunabbiyin" then just published and presented it to her. She accepted it cheerfully and as an expression of thanks addressed me as Excellency.

"You always called me by name", I said Smilingly, she said "well Sir Mohammad, how are you". As always she poured green tea in two cups, handed one to me while keeping informal conversation on. I mentioned some of the many favours she had done to me during my stay at The Hague. At one point she said she could not recall but "how vivid is your memory".

About the Arab countries she said the news of union abound but hardly ever materialise nor is it even known where the centre of authority would rest after the union. About communism she said she had read a book written by a woman concerning the southern parts of the Soviet Union where, according to the author, the population was growing much faster than the ethnic Russian areas causing great anxiety.

I had imagined that half an hour would be enough for the meeting but there was no pause in the conversation for me to take leave. Once when I said I was taking too much time, she said "I am now on pension and have all the time on my hands". After an hour and a quarter she observed "how interesting has been our conversation" and saw me off with great cordiality.

The World Court's first Asian and first Muslim president: As said earlier, the World Court was established on February 6th, 1946. Before that from 1922 till the Second

World War another institution of the League of Nations was performing similar functions. The World Court has 15 members (judges) selected by the General Assembly and Security Council. The president and vice president are elected by the judges themselves – each for three years. I was vice president from 1958 to 1961 and president from 1970 to 1973 the first Asian and first Muslim to hold that post. Before that I had been the president of the UN General Assembly in 1962-63. Never before these two offices had combined in one man and haven't till today (1981).

***Affectionate sentiments of the colleagues*:** Before election as president I had been a member of the World Court for 12 years. It was my impression that though the members themselves elected the president it had become a tradition to differ with him. It was ALLAH's sheer grace that my colleagues rallied to my support though quite a few among them had a distinct edge over me in knowledge, experience and wisdom. In matters administrative no difference arose among us and all matters were resolved amicably and speedily. My colleagues not just cooperated with me, they always expressed friendly sentiments.

My current engagements: I live in a building adjacent to London's Ahmadiyya mission. Four months – mid-November to mid-March I spend in Pakistan, travel in Britain and outside and try to render some service in the cause of religion. Notwithstanding the ageing problems, I generally keep good health and work six to seven hours a day.

***Islam and its meaning for modern man*:** On a visit to New York I met an American lady, Mrs. Ruth Nanda Anshen, who was working on a publication project to be named "religious perspectives". She asked me to write a book on Islam. I said I did not consider myself equal to the task but she insisted and extracted a promise from me that I would try. Keeping the promise, I sent manuscript of the book from The Hague. She found it "exactly as I had desired needing no change nor was necessary". The book was published in 1962 and was well received. The publishers named it as "Islam: its meaning for modern man". It was published again in 1980.

Among the other publications to find wide approval are translation of the Holy Quran in simple, idiomatic English, a lif account of my mother in Urdu and English.

The other publications are:

- Prophet at Home (Translation of *Shumail Tirmizi*)
- Wisdom of the Holy Prophet (Translation of more than 900 "Ahdis"- sayings of the Holy Prophet)
- Gardens of the Righteous (Translation of *Riazul Salehin*)
- Excellent Exampler (A brief account of the life of the Holy Prophet)
- Islamic Warship (Edicts relating to prayers, fasting and charity)
- Pilgrimage to the House of Allah
- Islam and Human Rights
- Agony of Pakistan
- Deliverance (of Jesus) from the Cross
- Tadhkirah (Dreams and visions of the Founder of the Ahmdiyya movement)
- Ahmadiyyat: Renaissance of Islam

- Essence of Islam (two volumes)
- Punishment of Apostasy in Islam
- Muhammad Khatimunnabiyin: (The life story of the Holy Prophet)

Prayer for a peaceful end: Today (February 6th, 1981) at 88 years of age, as far as ALLAH enables me and content with my lot, I try to serve the cause of religion. An anxiety, nevertheless, persists that Allah in His infinite mercy and grace overlooks my faults and sins that defy a count, and make my end peaceful and include me in the ranks of the righteous.

اٰمِيْنَ يَا اَرْحَمَ الرَّاحِمِيْنَ - وَاٰخِرُ دَعْوٰنَا اَنِ الْحَمْدُ لِلّٰهِ رَبِّ الْعٰلَمِيْنَ.

[Aameen, O my Lord, the Gracious, the Merciful.
And our ultimate commitment is that all praise belongs to Allah,
Lord of all the worlds]

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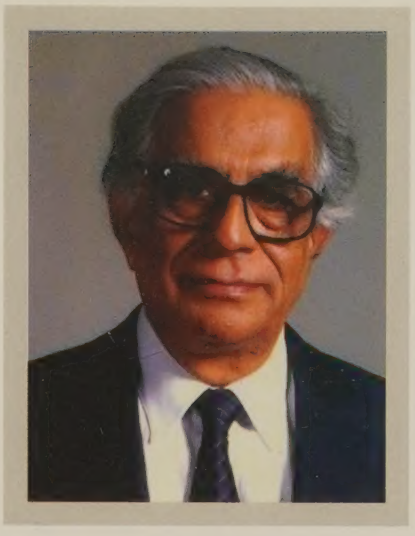

About the Translator

Mr. Kunwar Idris is a retired civi servant living in Karachi.

In a diverse career in the Civi Service of Pakistan spanning 36 years, he was political agent in the tribal areas of North-West Frontier and also district magistrate of Karachi – the country's largest urban conurbation. Later in his career he was chief secretary of Sindh province and secretary of the national ministries of production and petroleum. At one stage he also headed a group of state enterprises.

Since retirement he presides over the boards of some private sector companies and occasionally writes for newspapers. Like the author of Tehdise Nemat, the translator also hails from rural Sialkot of Punjab province.

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